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Washington, Wednesday, February 20, 1952

TITLE 3—THE PRESIDENT

PROCLAMATION 2964

RED CROSS MONTH, 1952

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the American National Red Cross, designated by the Congress as a voluntary agency through which the people of this Nation may answer the call of their fellow Americans in distress, is facing unprecedented peacetime demands upon its resources; and

WHEREAS the Red Cross, as the national coordinating agency for the procurement of blood for defense, has greatly expanded its facilities for collecting the vast quantities of blood required for military and civilian use; and

WHEREAS this organization must continue to meet the need of servicemen, veterans, and their families for sympathetic aid and practical help with their problems, at home and overseas; and

WHEREAS in 1951 the Red Cross spent nearly $14,000,000 for the relief and rehabilitation of victims of one disaster alone—the Midwest floods of last summer—in addition to helping to meet the need of thousands of other disaster victims for shelter, food, and a return to normal living; and

WHEREAS the organization is expanding its health and safety services in order to train Americans everywhere to protect themselves and their families against the hazards of everyday life or a national emergency; and

WHEREAS the Red Cross is appealing for voluntary contributions amounting to a minimum of $85,000,000, so that it may heed the call of those in need of assistance throughout the Nation in the year ahead:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America and Honorary Chairman of the American National Red Cross, do hereby designate the month of March 1952 as Red Cross Month; and I urge every American to contribute during that month as generously as possible to this humanitarian cause.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 18th day of February in the year of our Lord nineteen hundred and [SEAL] fifty-two, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 52-2137; Filed, Feb. 19, 1952; 10:40 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 27—COTTON CLASSIFICATION UNDER THE UNITED STATES COTTON FUTURES ACT

SUBPART A—REGULATIONS

On January 16, 1952, there was published in the FEDERAL REGISTER (17 F. R. 482) a notice of the proposed designation of Fresno, California, as a bona fide spot cotton market and the proposed amendment of § 27.93 of the regulations (7 CFR and 1950 Supp. § 27.93) under the United States Cotton Futures Act, as amended (39 Stat. 476, as amended; codified 53 Stat. 210; 26 U. S. C. 1920 et seq.).

After investigation and due consideration of all relevant matters presented pursuant to the notice and under the authority of sections 7 and 8 of the said act, Fresno, California, is hereby determined to be and designated as a bona fide spot market and § 27.93 of the said regulations is hereby amended by adding

(Continued on next page)

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Fresno, California, to the list of spot markets now designated in said section.

This document shall become effective 30 days after publication hereof in the FEDERAL REGISTER.

(39 Stat. 476, 40 Stat. 1351, 41 Stat. 725, 44 Stat. 1248; 76 U. S. C. 1920–1935)

Done at Washington, D. C., this 15th day of February 1952.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 52–2032; Filed, Feb. 19, 1952; 8:46 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

Part 729—Peanuts

County Acreage Allotments for the 1952 Crop of Peanuts

Basis and purpose. Section 358 (e) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1358 (e)), provides that the Secretary of Agriculture may, if the State Production and Marketing Administration Committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the provisions of the act, provide for the apportionment of the State acreage allotment among the counties in the State on the basis of the past acreage of peanuts harvested for nuts (excluding acreage in excess of farm allotments) in the county during the five years immediately preceding the year in which such apportionment is made, with such adjustments as are deemed necessary for abnormal conditions affecting acreage, for trends in acreage, and for additional allotments for types of peanuts in short supply under the provisions of section 358 (c) of the act. The State Production and Marketing Administration Committee for the State of Oklahoma has recommended that the 1952 State peanut acreage allotment heretofore established (16 F. R. 11991) be apportioned among the peanut-producing counties in the State pursuant to the provisions of section 358 (e) of the act. It is hereby determined that apportionment of the 1952 Oklahoma peanut acreage allotment among the counties in the State will facilitate the effective administration of the provisions of the act, and the purpose of this document is to announce such apportionment.

The recommendation of the Oklahoma State Production and Marketing Administration Committee to apportion the 1952 State peanut acreage allotment among the counties was made after due consideration of such data, views, and recommendations as were received pursuant to public notice (16 F. R. 10897) given in accordance with the Administrative Procedure Act (5 U. S. C. 1003), and the determinations made herein were made on the basis of the latest available statistics of the Federal Government. Peanut farmers in Oklahoma are now making plans for the production of peanuts in 1952. In order that the State and county Production and Marketing Administration committees may establish farm acreage allotments and issue notices thereof to farm operators at the earliest possible date, it is essential that county acreage allotments for the counties in Oklahoma be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest, and the county acreage allotments contained herein shall be effective upon filing of the document with the Director, Division of the Federal Register.

Section 729.304 of the proclamation of 1952 county peanut acreage allotments issued January 3, 1952 (17 F. R. 110) is amended by adding the following:

§ 729.304 *1952 County peanut acreage allotments.* * * *

Oklahoma

County:	*1952 county acreage allotment*
Grant	8
Osage	75
Pawnee	72
Tulsa	86
Wagoner	57
Beckham	352
Custer	52
Dewey	24
Washita	730
Canadian	394
Cleveland	103
Creek	3,610
Grady	3,726
Lincoln	3,102
Logan	88
McClain	1,070
Okfuskee	5,297
Oklahoma	616
Payne	583
Pottawatomie	5,142
Seminole	5,777
Haskell	601
Hughes	15,258
McIntosh	1,509
Muskogee	855
Okmulgee	2,963
Pittsburg	4,735
Caddo	23,827
Comanche	1,925
Cotton	85
Greer	153
Harmon	87
Jackson	576
Kiowa	5
Atoka	5,465
Bryan	22,172
Carter	2,382
Coal	1,724
Garvin	2,002
Jefferson	535
Johnston	4,048
Love	5,894
Marshall	2,943
Murray	174
Pontotoc	2,206
Stephens	3,524
Choctaw	3,327
Latimer	57
LeFlore	497
McCurtain	699
Pushmataha	1,513
Total Oklahoma	142,705

(Sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interprets or applies sec. 358, 65 Stat. 29; 7 U. S. C. 1358)

Issued at Washington, D. C. this 15th day of February 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-2030; Filed, Feb. 19, 1952; 8:46 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

Part 910—Fresh Peas and Cauliflower Grown in Counties of Alamosa, Rio Grande, Conejos, Costilla and Saguache in the State of Colorado

Recodification

In accordance with the revised Federal Register Regulations (1 CFR Part 1), the format of the order, as amended (Order No. 10, 7 F. R. 2693; 7 CFR Part 910) of the Secretary of Agriculture, regulating the handling of fresh peas and cauliflower grown in the Counties of Alamosa, Rio Grande, Conejos, Costilla and Saguache in the State of Colorado (including the requisite findings set forth therein), and the format of the Administrative Committee's Regulations (12 F. R. 4135; 7 CFR Part 910) adopted pursuant thereto with the approval of the Secretary of Agriculture, are recodified as hereinafter set forth. To facilitate cross reference between the aforesaid amended order and the amended marketing agreement and to obviate possible difficulties in future amendatory proceedings, the provisions of amended Marketing Agreement No. 67 shall be renumbered and the section headings redesignated to conform to the recodified order. The supplementary provisions of the said marketing agreement numbered sections 9 (b) (4), 16 (b), 17, 18, and 19 shall be renumbered §§ 910.80, 910.81, 910.82, 910.83, and 910.84, respectively.

This recasting of the format and recodification is not intended, nor shall it be deemed, to make any substantive change in the provisions of the aforesaid amended order of the Secretary, the aforesaid amended marketing agreement, and the aforesaid regulations of the Administrative Committee.

Done at Washington, D. C., this 15th day of February 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Subpart—Order Regulating Handling

Findings and Determinations

Sec.
910.0 Findings.

Definitions

910.1 Secretary.
910.2 Act.
910.3 Person.
910.4 Peas.
910.5 Cauliflower.
910.6 Producer.
910.7 Handler.
910.8 Handle.
910.9 Fiscal year.

Administrative Committee

910.15 Establishment and membership.
910.16 Nomination and selection of producer members.
910.17 Nomination and selection of handler members.
910.18 Failure to nominate.
910.19 Acceptance.

AUTHORITY: §§ 910.0 to 910.115 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

SUBPART—ORDER RELATIVE TO HANDLING

SOURCE: §§ 910.0 to 910.76 contained in Order No. 10 as amended, 7 F. R. 2693.

FINDINGS AND DETERMINATIONS

§ 910.0 *Findings and determinations*—(a) *Findings on basis of hearing record.* (1) This order as hereby amended, and all of the terms and conditions of said order, as hereby amended, will tend to effectuate the declared policy of the act with respect to fresh peas and cauliflower grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado; and

(2) This order, as hereby amended, is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to any subdivision of said production area specified in this subpart would not effectively carry out the declared policy of the act.

(3) The foregoing findings are supplementary and in addition to the findings that were made in connection with the issuance of the order on August 4, 1936, effective on and after August 9, 1936, and such findings previously made are hereby ratified and affirmed except insofar as such previous findings may be in conflict with the findings herein set forth.

(4) In accordance with the provisions of the act, it has been found and proclaimed that the purchasing power of fresh peas and cauliflower, respectively, grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado, during the prewar base period, August 1909–July 1914, cannot be satisfactorily determined from available statistics of the Department of Agriculture, but that the purchasing power of such peas can be satisfactorily determined from available statistics of the Department of Agriculture for the post-war base period 1922–28, and that the purchasing power of such cauliflower can be satisfactorily determined from the available statistics of the Department of Agriculture for the post-war base period 1923–28; is the base period, to be used in connection with this order, as amended, in determining the purchasing power of such peas, and the post-war period 1923–28 is the base period to be used, in connection with this order, as amended, in determining the purchasing power of such cauliflower.

(b) *Determinations.* (1) The agreement, drafted subsequent to, and upon the basis of the evidence adduced at, the hearing in Alamosa, Colorado, on March 24, 1941, amending the marketing agreement was executed by handlers (excluding co-operative associations of producers who are not engaged in processing, distributing or shipping either of the commodities covered by this order) who handled not less than fifty (50) percent of the volume of each of the commodities, covered by the order, as hereby amended, produced in the counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado;

(2) The agreement, drafted subsequent to, and upon the basis of the evidence adduced at, the aforesaid hearing in Alamosa, Colorado, on March 24, 1941, amending the aforesaid marketing agreement, has been executed by handlers, signatory to said marketing agreement, who, during the preceding calendar year, handled not less than sixty-seven (67) percent of the peas and cauliflower, respectively, handled by all handlers, during the preceding crop year, signatory to said marketing agreement;

(3) The issuance of this order, amending the order, issued on August 4, 1936, effective on and after August 9, 1936, is favored and approved by producers of peas and by producers of cauliflower who participated in the referendum, conducted by the Acting Secretary, and who, during the representative period determined by the Acting Secretary, produced for market, within the production area specified in said order, as hereby amended, at least two-thirds (⅔) of the volume of such peas and cauliflower, respectively, produced for market within such area;

(4) The issuance of this order, amending the order, issued on August 4, 1936, effective on and after August 9, 1936, is favored and approved by at least two-thirds (⅔) of the producers of peas and by at least two-thirds (⅔) of the producers of cauliflower who participated in the referendum, conducted by the Acting Secretary, and who, during the representative period determined by the Acting Secretary, were engaged, within the production area specified in said order, as hereby amended, in the production for market of either or both of the commodities specified in this subpart; and

(5) This order, as hereby amended, regulates the handling of such peas and cauliflower in the same manner as the marketing agreement, as amended by the aforesaid agreement drafted subsequent to, and upon the basis of the evidence adduced at, the aforesaid hearing in Alamosa, Colorado, on March 24, 1941, regulates the handling of such peas and cauliflower, and this order, as hereby amended, is made applicable only to persons in the respective classes of industrial and commercial activities specified in the aforesaid marketing agreement, as amended.

It is, therefore, ordered, Pursuant to the findings and determinations set forth in § 910.0 of this subpart and pursuant to the aforesaid act, that such handling of fresh peas and cauliflower grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado as is in the current of interstate commerce or commerce with Canada, or as directly burdens, obstructs or affects such commerce, shall, from and after the time hereinafter specified, be in conformity to and in compliance with the terms and conditions of this subpart, and the aforesaid order, issued on March 4, 1936, effective on and after March 9, 1936, is hereby amended, from and after the time hereinafter specified, to read as follows:

DEFINITIONS

§ 910.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States of America, or the Under Secretary of Agriculture of the United States, or the Assistant Secretary of Agriculture of the United States.

§ 910.2 *Act.* "Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246 (1937); 7 U. S. C. 601 et seq.) as amended.

§ 910.3 *Person.* "Person" means an individual, partnership, corporation, association, legal representative, or any organized group of individuals.

§ 910.4 *Peas.* "Peas" means all varieties of peas, for sale for consumption in fresh form, grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado.

§ 910.5 *Cauliflower.* "Cauliflower" means all varieties of cauliflower, for sale for consumption in fresh form, grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado.

§ 910.6 *Producer.* "Producer" means any person engaged in growing peas or cauliflower for market.

§ 910.7 *Handler.* "Handler" means any person (except a common carrier of

peas and cauliflower owned by another person) who, as owner, agent, or otherwise, first ships peas or cauliflower, or first causes peas or cauliflower to be shipped, in fresh form by rail, truck, or any other means whatsoever.

§ 910.8 *Handle.* "Handle" means to transport, offer for transportation, sell, or ship peas or cauliflower in the current of interstate commerce or commerce with Canada, or so as directly to burden, obstruct, or affect such commerce.

§ 910.9 *Fiscal year.* "Fiscal year" means the twelve-month period beginning June 1 of any year and ending May 31 of the following year, both dates inclusive.

ADMINISTRATIVE COMMITTEE

§ 910.15 *Establishment and membership.* (a) An Administrative Committee, consisting of twelve members, is hereby established. Four members of said committees shall represent pea producers; four members of said committee shall represent cauliflower producers; and four members of said committee shall represent handlers. For each member of the Administrative Committee there shall be an alternate member who shall be selected in the same manner and shall have the same qualifications as the member for whom such person serves as alternate.

(b) The members representing the producers of peas shall be selected from the following districts: One member shall be a producer of peas in the district consisting of Rio Grande and Saguache Counties; one member shall be a producer of peas in the district consisting of Conejos County; one member shall be a producer of peas in the district consisting of Costilla and Alamosa Counties; and one member shall be a producer of peas and shall be selected from the district consisting of all of the aforesaid counties, namely, Alamosa, Rio Grande, Conejos, Costilla and Saguache Counties.

(c) The members representing the producers of cauliflower shall be selected from the following districts: One member shall be a producer of cauliflower in the district consisting of Conejos County; one member shall be a producer of cauliflower in the district consisting of Rio Grande, Saguache, and Alamosa Counties; one member shall be a producer of cauliflower in the district consisting of that portion of Costilla County lying north of the east-west township line dividing township 31 south and township 32 south (such line being approximately six miles north of the village of San Acacio, Colorado); and one member shall be a producer of cauliflower in the district consisting of that portion of Costilla County lying south of the aforesaid east-west township line dividing township 31 south and township 32 south.

(d) The Control Committee, established pursuant to the provisions of the marketing agreement and order regulating the handling of fresh peas and cauliflower grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, Custer, and Eagle in the State of Colorado, effective on and after August 9, 1936, shall continue to function, for the purposes stated in § 910.16 and § 910.17, until the initial members of the Administrative Committee, established pursuant to the provisions of this subpart have been selected and have qualified.

§ 910.16 *Nomination and selection of producer members.* (a) There shall be held, within twenty days after the effective date of this subpart, a general meeting of all producers, at such time and place as may be designated by the aforesaid Control Committee established pursuant to said marketing agreement and order effective on and after August 9, 1936; and at such general meeting of producers the nominees shall be designated, in accordance with the provisions set forth in this subpart, and the Secretary shall select, from among the nominees thus designated, the members and alternates of the Administrative Committee to represent producers for the fiscal year beginning on June 1, 1941.

(b) There shall be held, on or before May 15 of each year subsequent to the year 1941, a general meeting of producers, at such time and place as may be specified by the Administrative Committee; and at such meeting of producers the nominees shall be designated, in accordance with the provisions of this subpart and the Secretary shall select, from among the nominees thus designated, the members and alternates of the Administrative Committee to represent producers for the respective fiscal year.

(c) At each of such meetings, the producers eligible to participate therein shall select a chairman and a secretary; and thereupon such producers shall designate the nominees to represent, by districts as provided in §910.15, the producers of peas and cauliflower, respectively.

(d) Each producer of cauliflower who is present at said general meeting shall be entitled to cast one vote, and only one vote, on behalf of himself, his agents, partners, and representatives in designating each nominee for each of the aforesaid districts to represent the producers of cauliflower.

(e) Each producer of peas who is present at said general meeting shall be entitled to cast one vote, and only one vote, on behalf of himself, his agents, partners, and representatives in designating each nominee for each of the aforesaid districts to represent the producers of peas.

(f) Producers shall designate two nominees for each producer member of the Administrative Committee from each of the districts, and two nominees for each alternate from each district; and the Secretary shall select, from among the nominees designated by the producers, one producer member and his respective alternate for each of the said districts. Only producers who are present at said general meeting may participate in designating nominees. No producer shall be allowed to vote by proxy. The chairman of each meeting shall announce at the respective meeting the name of each person for whom a vote has been cast, whether as member or as alternate, and the number of votes cast for each such person; and the chairman or the secretary of said general meeting shall forthwith transmit such information to the Secretary.

(g) Each member of the Administrative Committee, selected by the Secretary to represent the producers of peas, shall be a producer of peas in the district which he represents on said committee; and each member of the Administrative Committee, selected by the Secretary to represent the producers of cauliflower, shall be a producer of cauliflower in the district which he represents on said committee.

(h) No person engaged in handling peas or cauliflower, other than peas or cauliflower of his own production, shall be eligible to serve as a producer member of the Administrative Committee.

§ 910.17 *Nomination and selection of handler members.* (a) There shall be held, within twenty days after the effective date of this subpart, a general meeting of all handlers, at such time and place as may be designated by the aforesaid Control Committee established pursuant to said marketing agreement and order effective on and after August 9, 1936, and at such general meeting of handlers the nominees shall be designated, in accordance with the provisions set forth in this subpart and the Secretary shall select, from among the nominees thus designated the members and alternates of the Administrative Committee to represent handlers for the fiscal year beginning on June 1, 1941.

(b) There shall be held, on or before May 15 of each year subsequent to the year 1941, a general meeting of handlers, at such time and place as may be specified by the Administrative Committee; and at such meeting of handlers the nominees shall be designated, in accordance with the provisions of this subpart, and the Secretary shall select, from among the nominees thus designated, the members and alternates of the Administrative Committee to represent handlers for the respective fiscal year.

(c) At each of such meetings the handlers eligible to participate therein shall select a chairman and a secretary; and thereupon such handlers shall designate eight nominees for membership on the Administrative Committee and eight nominees for alternate membership on the Administrative Committee to represent the handlers.

(d) The Secretary shall select, from among the nominees designated by the handlers, four members of the Administrative Committee and their respective alternates.

(e) Each handler present at said general meeting shall be entitled to cast one vote, and only one vote, on behalf of himself, his agents, partners, affiliates, subsidiaries, and representatives in designating each nominee. Only handlers who are present at said general meeting may participate in designating nominees. No handler shall be allowed to vote by proxy. The chairman of each such meeting shall announce at the respective meeting the name of each person for whom a vote has been cast, whether as member or alternate, and the number of votes cast for each such person; and the chairman or the secretary of said

general meeting shall forthwith transmit such information to the Secretary.

(f) Each member of the Administrative Committee, selected as aforesaid by the Secretary to represent handlers, shall be a handler of peas or cauliflower in the counties of Alamosa, Rio Grande, Conejos, Costilla, or Saguache in the State of Colorado, and each such person thus selected shall be a resident within the aforesaid area.

§ 910.18 *Failure to nominate.* (a) In the event nominations are not made by producers pursuant to, and within the time specified in, this subpart, the Secretary may select, without regard to nominations and without waiting for any nomination to be made, the members and alternate members of the Administrative Committee to represent producers.

(b) In the event nominations are not made by handlers pursuant to, and within the time specified in, this subpart, the Secretary may select, without regard to nominations and without waiting for any nomination to be made, the members and alternate members of the Administrative Committee to represent handlers.

§ 910.19 *Acceptance.* Any person selected by the Secretary as a member or as an alternate member of the Administrative Committee shall qualify, within fifteen days after being notified of such selection, by filing with the Secretary a written acceptance of such appointment.

§ 910.20 *Term of office.* (a) The initial members and alternates of the Administrative Committee shall hold office for a term beginning on the date designated by the Secretary and ending on May 31, 1942: *Provided*, That such members and alternates shall serve until their respective successors have been selected and have qualified.

(b) For each year subsequent to the fiscal year ending on May 31, 1942, the term of office of the members and alternates of the Administrative Committee shall begin on the first day of June and shall continue for the respective fiscal year: *Provided*, That said members and alternates shall serve until their respective successors have been selected and have qualified.

§ 910.21 *Duties of alternate members.* The alternate for a member of the Administrative Committee shall, in the event of such member's absence, act in the place and stead of such member; and in the event of such member's removal, resignation, disqualification or death, the alternate for said member shall, until a successor for the unexpired term of said member has been selected, act in the place and stead of said member.

§ 910.22 *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the Administrative Committee to qualify, or in the event of the death, removal, resignation, or disqualification of any qualified member or alternate member of the Administrative Committee a successor for this unexpired term shall be selected by the Secretary from nominations made in the manner specified in this subpart. If nominations to fill such vacancy are not made and the names of such nominees submitted to the Secretary within twenty days after such vacancy occurs, the Secretary may, without waiting for such nominees to be designated or the names thereof submitted, select someone to fill such vacancy.

§ 910.23 *Compensation and expenses.* The members of the Administrative Committee, and their respective alternates when acting as members, shall serve without compensation, but they shall be reimbursed for expenses necessarily incurred by them in the performance of their duties and in the exercise of their power under this subpart.

§ 910.24 *Powers.* The Administrative Committee shall have the following powers:

(a) To administer, as provided in this subpart, the terms and provisions of this subpart;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 910.25 *Duties.* It shall be the duty of the Administrative Committee:

(a) To act as intermediary between the Secretary and any producer or handler;

(b) To keep minutes, books, and records which will clearly reflect all of the acts and transactions of the committee, and such minutes, books, and records shall be subject at any time to examination by the Secretary;

(c) To investigate the growing, shipping, and marketing conditions with respect to peas and cauliflower, and to assemble data in connection therewith;

(d) To furnish to the Secretary such available information as the Secretary may request;

(e) To perform such duties as may be assigned to it from time to time by the Secretary in connection with the administration of section 32 of the act to amend the Agricultural Adjustment Act, and for other purposes, as amended (49 Stat. 774; 7 U. S. C. 612c);

(f) To cause the books of the Administrative Committee to be audited by one or more competent accountants at least once each fiscal year and at such other times as the committee may deem necessary or as the Secretary may request, and to file with the Secretary a copy of each such report;

(g) To appoint such employees as it may deem necessary and to determine the salaries and define the duties of such employees;

(h) To give to the Secretary the same notice of meetings of the Administrative Committee as is given to the members of the committee; and

(i) To select a chairman of the Administrative Committee and, from time to time, such other officers as it may deem advisable.

§ 910.26 *Marketing policy.* Each season prior to making any recommendation to the Secretary for a regulation of shipments of peas or cauliflower the Administrative Committee shall determine the marketing policy to be followed during the ensuing season and shall submit a report of such policy to the Secretary; and said policy report shall contain, among other provisions, information relative to the estimated total production or shipments of the applicable commodity; information as to the expected general quality and size of the applicable commodity; possible or expected demand conditions of different market outlets; supplies of competitive commodities; such analysis of the foregoing factors and conditions as the committee deems appropriate; and the type of regulation of shipments of the applicable commodity expected to be recommended.

PROCEDURE

§ 910.30 *Quorum and voting requirements.* (a) Any five members of the Administrative Committee representing handlers or representing producers of cauliflower shall constitute a quorum of said committee in so far as regulating the handling of cauliflower may be concerned pursuant to §§ 910.41 through 910.45; and any decision of the Administrative Committee, with respect to cauliflower or the handling of cauliflower pursuant to §§ 910.41 through 910.45, shall require five concurring votes by committee members.

(b) Any five members of the Administrative Committee representing handlers or representing producers of peas shall constitute a quorum of said committee insofar as regulating the handling of peas may be concerned pursuant to §§ 910.41 through 910.45; and any decision of the Administrative Committee, with respect to peas or the handling of peas pursuant to §§ 910.41 through 910.45 shall require five concurring votes by committee members.

(c) Any seven members of the Administrative Committee representing handlers or representing producers shall, with regard to any action by the committee under any section of this subpart other than §§ 910.41 thruogh 910.45, constitute a quorum of said committee; and any decision of the Administrative Committee, pursuant to any of the provisions of this subpart other than §§ 910.41 through 910.45, shall require seven concurring votes by the members of said committee.

(d) The Administrative Committee may provide for the members thereof to vote, with regard to committee action, by mail, telegraph, or telephone; and any such vote cast by telephone shall be confirmed promptly in writing by each member thus voting by telephone.

§ 910.31 *Funds and other property.* (a) All funds received by the Administrative Committee pursuant to any of the provisions of this subpart shall be used solely for the purposes herein specified, and the Secretary may require the committee and its members to account for all receipts and disbursements.

(b) Upon the death, resignation, removal, or expiration of the term of

office of any member of the Administrative Committee, all books, records, funds, and other property in his possession shall be delivered to his successor in office or to the committee and such assignments and other instruments shall be executed as may be necessary to vest in his successor or in the committee full right to all the books, records, funds and other property in the possession or under the control of such member pursuant to this subpart.

§ 910.32 *Right of the Secretary.* The members of the Administrative Committee (including successors and alternates) and any agent or employee appointed or employed by said committee shall be subject to removal or suspension at any time by the Secretary. Each and every order, regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time; and upon such disapproval the action of said committee thus disapproved shall be deemed null and void except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

EXPENSES AND ASSESSMENTS

§ 910.36 *Expenses.* The Administrative Committee is authorized to incur such expenses as the Secretary finds may be necessary to carry out its functions under this subpart during each fiscal year. The funds to cover such expenses shall be acquired by the levying of assessments as provided in § 910.37.

§ 910.37 *Assessments.* Each handler shall pay to the Administrative Committee, upon demand, such handler's pro rata share of the expenses that the Secretary finds will be necessarily incurred by the committee for the maintenance and functioning of the committee during each fiscal year. Each handler's pro rata share shall be based upon a rate of assessment fixed by the Secretary and shall be that proportion of such expenses which the total quantity of peas or cauliflower, respectively, shipped by such handler during the fiscal year is of the total quantity of peas or cauliflower, respectively, shipped by all handlers during such shipping season. The rate of assessment may be increased or decreased, during or after a fiscal year, by the Secretary in order to cover any later finding of the Secretary of the estimated expenses or the actual expenses of the committee during said fiscal year.

§ 910.38 *Handler accounts.* (a) At the end of each fiscal year the Administrative Committee shall credit each handler with any amount paid by such handler in excess of his pro rata share of the expenses or shall debit such handler with the amount by which his pro rata share exceeds the amount paid by him. Any such debits shall become due and payable upon demand of the committee.

(b) The Administrative Committee may, with the approval of the Secretary, maintain a suit in its own name or in the names of its members for the collection of any handler's pro rata share of expenses.

REGULATIONS OF SHIPMENTS

§ 910.41 *Recommendation of the Administrative Committee.* Whenever the Administrative Committee deems it advisable to regulate the shipment of peas or cauliflower by grade or sizes, or combinations thereof, during any specified period or periods, in order to effectuate the declared policy of the act, it shall so recommend to the Secretary. At the time of submitting any such recommendation, the committee shall furnish the Secretary the pertinent data and information upon which it acted in making such recommendation, and such other data and information as the Secretary may request. The committee shall promptly give adequate notice to handlers and producers of any such recommendation submitted by it to the Secretary.

§ 910.42 *Issuance of regulations.* Whenever the Secretary finds, from the recommendation and information submitted by the Administrative Committee or from other available information, that to limit the shipment of peas or cauliflower to particular grades or sizes, or combinations thereof, would tend to effectuate the declared policy of the act, he shall so limit the shipment of such peas or cauliflower during a specified period or periods. The Secretary shall immediately notify the committee of the issuance of such regulation, and the committee shall promptly give adequate notice thereof to the handlers and producers.

§ 910.43 *Exemption certificates.* (a) Before the institution of any limitation of shipments pursuant to §§ 910.41 through 910.44 the Administrative Committee shall adopt and announce the procedural rules by which exemption certificates will be issued to producers. Whenever the committee recommends to the Secretary a regulation of shipments pursuant to §§ 910.41 through 910.44 the committee shall determine the percentage which quantity of grades and sizes of peas or cauliflower permitted to be shipped under such regulation bears to the total quantity which could be shipped in the absence of such regulation, and the committee shall forthwith announce this percentage. An exemption certificate shall thereafter be issued to any producer who furnishes proof satisfactory to the committee that he will be prevented, because of the regulation established, from shipping as large a percentage of his peas or cauliflower as the average percentage for all producers, as determined by the committee. Such exemption certificate shall permit the producer to ship or cause to be shipped that quantity of the regulated grades and sizes of peas or cauliflower as will enable him to ship or cause to be shipped as large a percentage of his peas or cauliflower as the average percentage for all producers.

(b) The Administrative Committee may authorize an employee or employees to receive applications for exemption certificates, make the necessary investigation with regard to whether an exemption certificate should be issued and, if so, the quantity of peas or cauliflower which should be thus exempted, and issue for and on behalf of the committee an exemption certificate: *Provided, however,* That the committee shall not authorize an employee or employees to perform any of the following duties or functions: (1) Determine the grades or sizes of peas or cauliflower which could be shipped in the absence of any regulation, or (2) determine the percentage that the quantity of peas or cauliflower permitted to be shipped pursuant to regulation is of the quantity which could have been shipped in the absence of regulation.

(c) If any producer is dissatisfied with the determination of an employee or employees who have been authorized to issue exemption certificates and who have exercised jurisdiction with regard to the application submitted by the respective producer, such producer may appeal to the Administrative Committee: *Provided,* That such appeal shall be taken promptly after the determination by the respective employee or employees.

(d) If any producer is dissatisfied with the determination of the Administrative Committee with respect to an exemption certificate or the application for an exemption certificate, or with regard to an appeal by a producer to said committee from the action of an employee or employees as aforesaid, such producer may appeal to the Secretary: *Provided,* That such appeal shall be taken promptly after the determination by the Administrative Committee. The Secretary may, upon an appeal as aforesaid, modify or cancel the issuance of an exemption certificate or may authorize the issuance of an exemption certificate. The authority of the Secretary to supervise and control the issuance of exemption certificates, including but not being limited to such procedural rules as may be adopted by the committee, is unlimited and plenary; and any determination made by the Secretary with respect to an exemption certificate or the application therefor shall be final.

(e) The Administrative Committee shall from time to time submit to the Secretary reports stating in detail the number of exemption certificates issued, the quantity of peas and cauliflower, respectively, thus exempted, and such additional information as may be requested by the Secretary.

§ 910.44 *Inspection and certification.* (a) During any period in which shipments of peas are regulated pursuant to this subpart each handler shall, prior to making each shipment of peas, cause such shipment to be inspected by an authorized representative of the Federal-State Inspection Service; and promptly thereafter each such handler shall submit or cause to be submitted to the Administrative Committee a copy of the Federal-State inspection certificate showing the grades and sizes of the peas contained in the respective shipment.

(b) During any period in which shipments of cauliflower are regulated pursuant to this subpart, each handler shall, prior to making such shipment of cauliflower, cause such shipment to be inspected by an authorized representative

of the Federal-State Inspection Service; and promptly thereafter each such handler shall submit or cause to be submitted to the Administrative Committee a copy of the Federal-State inspection certificate showing the grades and sizes of the cauliflower contained in the respective shipment.

§ 910.45 *Prohibition of loading.* (a) Whenever the Administrative Committee deems it advisable, in order to effectuate the declared policy of the act, to prohibit the loading of peas or cauliflower for a period of not to exceed 96 hours it shall so recommend to the Secretary. At the time of submitting such recommendation, the committee shall furnish the Secretary the pertinent data and information upon which it acted in making such recommendation, and such other information as the Secretary may request.

(b) Whenever the Secretary finds, from the recommendation and information submitted by the Administrative Committee or from other available information, that to prohibit the loading of peas or cauliflower, respectively, during a period of not to exceed 96 hours would tend to effectuate the declared policy of the act, he shall so prohibit the loading of peas or cauliflower, respectively: *Provided,* That not less than 72 hours shall elapse from the termination of such period to the commencement of a subsequent period during which such loading would be prohibited. The Secretary shall immediately notify the committee of the issuance of such regulation, and the committee shall promptly give adequate notice thereof to producers and handlers.

§ 910.46 *Compliance and exceptions—* (a) *Compliance.* No handler shall ship peas or cauliflower in violation of the provisions of this subpart or in violation of an order issued by the Secretary pursuant to the provisions of this subpart; and no handler shall load peas or cauliflower during a period, prescribed by the Secretary, when such loading has been prohibited by the Secretary pursuant to the provisions of this subpart.

(b) *Shipments for relief.* Nothing contained in this subpart shall be construed to authorize any limitation of the right of any handler to ship peas or cauliflower for consumption by charitable institutions or for distribution by relief agencies; and no assessments shall be levied or collected on peas or cauliflower thus shipped for consumption by charitable institutions or for distribution by relief agencies. The Administrative Committee may prescribe adequate safeguards to prevent peas or cauliflower shipped for consumption by charitable institutions or for distribution by relief agencies from entering the commercial channels of trade for peas and cauliflower contrary to the provisions of this subpart.

EFFECTIVE TIME AND TERMINATION

§ 910.60 *Effective time.* The provisions of this subpart shall become effective April 13, 1942, and shall continue in force until terminated in one of the ways specified in § 910.61.

§ 910.61 *Termination.* (a) The Secretary may, at any time, terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart, with respect to peas, at the end of any fiscal year whenever he finds that such termination is favored by a majority of the producers of peas who, during the then preceding fiscal year, have been engaged in the production for market of peas: *Provided,* That such majority has, during such period, produced for market more than fifty percent of the volume of such peas produced for market; but such termination shall be effective only if announced on or before April 30 of the then current fiscal year. The Secretary shall terminate the provisions of this subpart, with respect to cauliflower, at the end of any fiscal year whenever he finds that such termination is favored by a majority of the producers of cauliflower who, during the then preceding fiscal year, have been engaged in the production for market of cauliflower: *Provided,* That such majority has, during such period, produced for market more than fifty percent of the volume of such cauliflower produced for market; but such termination shall be effective only if announced on or before April 30 of the then current fiscal year.

(d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing such cease to be in effect.

§ 910.62 *Proceedings after termination.* (a) Upon the termination of the provisions of this subpart, the then functioning members of the Administrative Committee shall continue as trustees, for the purpose of liquidating the affairs of the said committee, of all the funds and property then in the possession of or under control of such committee, including but not being limited to the claims for any funds unpaid or property not delivered at the time of such termination; and the procedural rules governing the activities of said trustees, including but not being limited to the determination as to whether action shall be taken by a majority vote of the trustees, shall be prescribed by the Secretary.

(b) The said trustees shall continue in such capacity until discharged by the Secretary, and shall, from time to time account for all receipts and disbursements or deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full right to all of the funds, property, or claims vested in the committee or the trustees pursuant to this section.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the Administrative Committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of said committee and upon the said trustees.

§ 910.63 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this subpart or the termination of any regulation issued pursuant thereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued thereunder, or (b) release or extinguish any violation hereof or any regulation issued hereunder, or (c) affect or impair any right or remedy of the Secretary or of any person with respect to any such violation. The provisions of this subpart shall not affect or waive any right, duty, obligation, or liability which may have arisen in connection with any provision of the aforesaid marketing agreement and order regulating the handling of fresh peas and cauliflower grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, Custer, and Eagle in the State of Colorado, effective on and after August 9, 1936, or release or extinguish any violation of said marketing agreement and order or any regulation issued thereunder or affect or impair any right or remedy of the Secretary or of any other person with respect to any such violation.

MISCELLANEOUS

§ 910.70 *Reports.* Upon request of the Administrative Committee, made with the approval of the Secretary, each handler shall furnish such committee, in such manner and at such times as it prescribes, such information as will enable the committee to perform its duties under this subpart.

§ 910.71 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination thereof, except with respect to acts done under and during the existence thereof.

§ 910.72 *Agents.* The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 910.73 *Derogation.* Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act, or otherwise, or in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 910.74 *Personal liability.* No member or alternate member of the Administrative Committee, nor any employee or

agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any other person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate member, or employee, except for acts of dishonesty.

§ 910.75 *Separability.* If any provision of this subpart is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 910.76 *Amendments.* Amendments to this subpart may be proposed, from time to time, by the Administrative Committee or by the Secretary.

SUBPART—RULES AND REGULATIONS

SOURCE: §§ 910.100 to 910.115 appear at 12 F. R. 4135.

§ 910.100 *General.* Unless otherwise provided in the marketing agreement and order (§§ 910.1 through 910.76) or by specific direction of the Administrative Committee, all reports, applications, submittals, requests, and communications in connection with the agreement and order (§ 910.1 et seq.) shall be addressed to Administrative Committee, Alamosa, Colorado.

§ 910.101 *Definitions.* "Marketing agreement" means Marketing Agreement No. 67, as amended, and "order" means Order No. 10, as amended (§ 910.1 et seq.) regulating the handling of fresh peas and cauliflower grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado. Terms defined in the marketing agreement and the order shall, when used in this subpart, have the same meaning as set forth in the marketing agreement and the order.

§ 910.107 *Exemption certificates*—(a) *Application.* Any producer applying for exemption from any grade or size regulations issued under the marketing agreement and order (§ 910.1 et seq.) shall make application for such exemption on forms to be furnished by the Administrative Committee. Such application shall state:

(1) Name and address of the producer;

(2) Location of the field with respect to which exemption is requested;

(3) Amount, if any, of peas or cauliflower harvested from such field during the then current season; and

(4) Producer's estimate of the quantity of the particular crop remaining to be harvested.

(b) *Federal-State Inspector report.* Each request filed with the Administrative Committee shall be accompanied by a report of a Federal-State Inspector which shall contain the following: (1) A statement of the inspector that he personally visited the field with respect to which exemption is requested and that a representative sample of such crop was taken by him; (2) a statement of the percentage of such crop which meets the required grade and size regulations then in effect; and (3) a statement of the defects or damage causing such crop to fail to meet such grade and size requirements. In the event a Federal-State Inspector submits the statements required by subparagraphs (2) and (3) of this paragraph with respect to a field of peas and percentage of the crop meeting the grade and size regulations, the defects or damage specified shall not include peas which are immature or overripe. The Manager for the Administrative Committee may make such investigation as he deems necessary to determine whether the exemption requested should be granted.

§ 910.108 *Issuance of exemption certificate.* (a) Whenever the Administrative Committee finds and determines from proof satisfactory to the committee that the applicant is entitled to an exemption certificate, the committee shall issue, or authorize the issuance of, an exemption certificate which shall permit the applicant to ship or cause to be shipped that quantity of the regulated grades and sizes of peas or cauliflower as will enable him to ship or cause to be shipped as large a percentage of his peas or cauliflower as the average percentage for all producers, as determined by the committee. If the committee determines that the applicant is not entitled to an exemption certificate it shall so advise the applicant in writing, and give the reasons therefor.

(b) Each certificate of exemption issued by the committee shall contain the producer's name and address; the location of the field with respect to which the exemption is granted; the particular grade and size regulations from which exempted; the amount of the commodity which may be shipped by virtue of such exemption; and such other information as may be necessary to evidence the rights of the producer to ship peas or cauliflower which do not meet the requirements of particular grade and size regulations.

(c) Each certificate of exemption shall be transferable, in whole or in part, with the commodity in accordance with the amount of the commodity transferred.

§ 910.115 *Records.* All forms, reports, correspondence, and documents used pursuant to § 910.1 et seq. shall be kept on file in the Administrative Committee's office; and a record shall be maintained by the manager of such committee, together with a record of all shipments made under exemption certificates. A record of all exemption certificates issued shall be furnished weekly by the manager to the representative of the Secretary of Agriculture.

[F. R. Doc. 52-2066; Filed, Feb. 19, 1952; 8:49 a. m.]

PART 989—HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

RECODIFICATION

Correction

In F. R. Doc. 52-1694, appearing at page 1255 of the issue for Saturday, February 9, 1952, the following changes should be made:

1. In § 989.29 (b) (7), the date "April 6" should read "April 5."

2. In the third line of § 989.33, the word "set" should read "act."

3. In § 989.68 (b), "§ 989.68 (e)" should read "§ 989.66 (e)."

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5460]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PAUL M. COOTER ET AL.

Subpart—*Discriminating in price under section 2, Clayton Act as amended; payment or acceptance of commission, brokerage or other compensation under* 2 (c): § 3.810 *Buyers' corporate or other agent;* § 3.820 *Direct buyers.* I. In or in connection with the purchase of grocery products or other commodities in commerce, and on the part of respondent Paul M. Cooter, and his agents, etc., receiving or accepting, directly or indirectly, from any seller anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of said respondent Paul M. Cooter or in connection with any purchase wherein said respondent acts in fact for or in behalf or subject to the direct or indirect control of any party to the transaction other than the seller; and from transmitting, paying or granting, directly or indirectly, in the form of money or credits or in the form of services or benefits provided or furnished, to any buyer or to respondent Recorg Supply Corporation, any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, received on purchases for such buyer's account; and, II, in or in connection with the purchase of grocery products or other commodities in commerce and on the part of respondent Recorg Supply Corporation, its officers and directors, and their agents, etc., receiving or accepting, directly or indirectly, from any seller or from respondent Paul M. Cooter, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of respondent Paul M. Cooter, respondent Recorg Supply Corporation, or any stockholder of respondent Recorg Supply Corporation, or upon any purchase negotiated by or through said respondent Recorg Supply Corporation; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, Paul M. Cooter et al., Docket 5460, December 13, 1951]

In the Matter of Paul M. Cooter, Individually and Doing Business Under the Firm Names and Styles of The Cooter Company, and Mart Sales Company; and Recorg Supply Corporation, a Corporation, and Its Officers and Directors, J. W. Herscher, Wm. H. Tyler, Neil A. McKay, L. H. Joannes, Max A. Kuehn, H. L. Miller, R. B. Wiltsee, and Jas. A. Scowcroft.

This proceeding having been heard by the Federal Trade Commission upon the

complaint of the Commission, the respondents' substitute answers, a stipulation as to testimony entered into by and between counsel in support of the complaint and respondent Paul M. Cooter, briefs, oral argument and reargument of opposing counsel, said substitute answers admitting, with certain exceptions, all of the material allegations of fact set forth in the complaint and providing in part that the Commission may, without the holding of hearings, the taking of testimony, the adduction of other evidence, and without intervening procedure, hear this matter upon the complaint, the substitute answers, the stipulation and briefs and oral argument of opposing counsel, and proceed to make and enter its findings as to the facts, including inferences and conclusions based thereon, and enter its order disposing of this proceeding; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of subsection (c) of section 2 of the Clayton Act, as amended by the Robinson-Patman Act (U. S. C. Title 15, Sec. 13):

It is ordered, That respondent Paul M. Cooter, and his agents, representatives and employees, directly or through any corporate or other device, in or in connection with the purchase of grocery products or other commodities in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from:

Receiving or accepting, directly or indirectly, from any seller anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of said respondent Paul M. Cooter or in connection with any purchase wherein said respondent acts in fact for or in behalf or subject to the direct or indirect control of any party to the transaction other than the seller; and from transmitting, paying or granting, directly or indirectly, in the form of money or credits or in the form of services or benefits provided or furnished, to any buyer or to respondent Recorg Supply Corporation, any commission, brokerage, or other compensation or any allowance or discount in lieu thereof, received on purchases for such buyer's account.

It is further ordered, That respondent Recorg Supply Corporation, its officers and directors, J. W. Herscher, Wm. H. Tyler, Neil A. McKay, L. H. Joannes, Max A. Kuehn, H. L. Miller, R. B. Wiltsee and Jas. A. Scowcroft, and their agents, representatives and employees, directly or through any corporate or other device, in or in connection with the purchase of grocery products or other commodities in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from:

Receiving or accepting, directly or indirectly, from any seller or from respondent Paul M. Cooter, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of respondent Paul M. Cooter, respondent Recorg Supply Corporation, or any stockholder of respondent Recorg Supply Corporation, or upon any purchase negotiated by or through said respondent Recorg Supply Corporation.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 13, 1951.

By the Commission,

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 52-1976; Filed, Feb. 19, 1952; 8:45 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

GRAND TETON NATIONAL PARK; FISHING

Paragraph (b), entitled *Fishing*, of § 20.22, entitled *Grand Teton National Park*, is amended to read as follows:

(b) *Fishing.* (1) Snake River for a distance of 150 feet from the lower face of the Jackson Lake Dam; Cottonwood Creek from a point 100 feet above the boat dock at the outlet of Jenny Lake to a point 100 feet below the Glacier Trail (CCC) Bridge; Ditch Creek from its junction with the Snake River to the County Bridge at the north end of Blacktail Butte and Two Ocean Lake are closed at all times to fishing. All other waters within the park (Drainage Area 1) shall be open to fishing from July 1 to October 31, inclusive, with the following exceptions:

(i) First, Second, and Third Creeks, Teton Lodge Ponds, Braman and McKinstry Ponds, J. O. Ponds, Jenny Lake Moose Ponds, Sawmill Ponds, Jenny, String, Leigh, and Phelps Lakes, and the Allan Budge or Farrell Ponds will open May 1 and close October 31.

(ii) Jackson Lake shall be open during the calendar year except during the period from September 10 to October 31, inclusive.

(2) The use or possession of natural bait, including fish eggs, fish for bait, and worms, is prohibited on or along all park waters except that dead minnows may be used as bait on Jackson Lake and on the Snake River for a distance of 1,000 feet below the Jackson Lake Dam exclusive of the first 150 feet. The Superintendent may authorize outfitters and bait dealers operating within the park to have live minnows in their possession.

(i) No more than one artificial fly or lure such as a wobbler, plug, or spinner shall be attached to a fishing line.

(3) Snake River within Grand Teton National Park shall have a creel limit of 12 game fish per day or in possession. All other park waters shall have a creel limit of 6 game fish per day or in possession.

(4) The seining or trapping of fish in the park is prohibited, except by special permission of the Superintendent.

(5) Use of rafts or boats propelled by any type of motor is prohibited on Leigh Lake and the use of rafts or boats of any type is prohibited within 1,000 feet of the lower face of Jackson Lake Dam.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C., 1946)

Issued this 14th day of February 1952.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-2018; Filed, Feb. 19, 1952; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 6—SUPPLY CONTRACTS; SERVICE PROPERTY; TELEGRAMS

PART 34—CLASSIFICATION AND RATES OF POSTAGE

PART 35—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

PART 64—DOMESTIC INSURANCE AND COLLECT-ON-DELIVERY SERVICES

MISCELLANEOUS AMENDMENTS

1. In § 6.8 *Purchasing and the Purchasing Agent* make the following changes:

a. Amend all of paragraph (j) preceding the proviso therein to read as follows:

(j) *Board of inspection.* A board of inspection, appointed by and acting under the direction of the Postmaster General, shall, except as hereinafter provided, receive and inspect all supplies purchased which are delivered in Washington, reporting their findings in duplicate to the Purchasing Agent, and retaining the triplicate copy. Each copy of the report shall be signed by not less than two members of the board. The Purchasing Agent shall attach the original to the contractor's invoice and retain the duplicate on file. If accepted by the board, the articles shall be turned over to the requisitioning officer, who shall give a receipt therefor. If rejected, they shall be disposed of under direction of the Purchasing Agent. If the board recommends a qualified acceptance, custody of the articles shall be retained until they are accepted or rejected by the Purchasing Agent:

b. Delete the last sentence in paragraph (k).

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

2. Section 34.96 *Customs declarations required on parcels addressed to Guam* is rescinded.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

3. In § 35.25a *Air mail service; prohibited and acceptable matter* amend paragraph (a) by adding a subparagraph (5) to read as follows:

(5) Safety matches.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

4. In § 64.23 *Scope of collect-on-delivery service* (16 F. R. 7287) amend paragraph (b) to read as follows:

(b) C. O. D. articles may be mailed at and addressed to all post offices in the

United States proper, Puerto Rico, Hawaii, the Virgin Islands of the United States, Wake Island (effective March 1, 1952), and all money order post offices in Alaska.

5. In § 64.40 *When indemnity to be paid and when not* (16 F. R. 394) make the following changes:

a. Amend paragraph (e) by adding a new sentence to read as follows: "However, indemnity may be paid, if all requirements as to packing and indorsement were met and the matter spoiled as the result of a delay of more than 24 hours directly chargeable to the fault of the Postal Service."

b. Add the following new paragraphs:

(i) For consequential loss, other than the actual value of, or the cost of repairs to, the article itself, resulting from the nondelivery, wrong delivery, damage, or delay in dispatch, transmission, or delivery of any article.

(j) For damage to incandescent lamps, radio tubes, and the like, where the glass bulbs are intact (not damaged or broken) unless it is established that the damage was due to improper handling in the mails.

(k) For damage to articles which are so fragile in their inherent nature as to prevent their safe carriage in the mails, regardless of the manner in which packed.

(l) For death of live baby chicks, honey bees, and harmless live animals, unless it is established that the death thereof is attributable to the fault of the Postal Service.

(m) For abrasion, scarring, or scraping of suitcases, handbags, and the like, unless the articles were adequately wrapped or boxed.

(n) For the loss or rifling of, or damage to, any matter which was not rightfully in the mails, or was not lost, rifled, or damaged while in the custody of the Postal Service, or for which other compensation or reimbursement has been made through the Postal Service.

(o) For the loss or rifling of, or damage to, any matter exchanged between post offices in the United States and post offices in the Canal Zone, except in accordance with such stipulations as may be agreed upon between the postal administrations interested, unless the matter originated in and the weight of evidence indicates that the matter was lost, rifled, or damaged in the Postal Service of the United States.

(p) For the loss or rifling of, or damage to, any article remailed after proper delivery, unless the article was reinsured after delivery and the evidence established that the loss, rifling, or damage occurred in the Postal Service.

(q) For the loss or rifling of, or damage to, an article before acceptance or after proper delivery.

(r) For the loss or rifling of, or damage to, any matter mailed in the execution of any fraudulent scheme or enterprise.

(R. S. 161, 396; Sec. 1, 37 Stat. 558, as amended, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 244)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 52-2026; Filed, Feb. 19, 1952; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Correction]

RR 1—HOUSING

SCHEDULE A—DEFENSE-RENTAL AREAS

SOUTHERN NEW JERSEY

Effective December 19, 1951, Rent Regulation 1 is corrected so that the item of Schedule A reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 15th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(188a) Southern New Jersey.	B	Camden County, except the boroughs of Audubon, Haddonfield, Haddon Heights and Merchantville, and the township of Pennsauken; and Gloucester County.	Mar. 1, 1942	July 1, 1942
	B	In Cape May County, the borough of Woodbine; and in Cumberland County, the city of Millville, the borough of Vineland and the township of Landis.	.....do.....	Dec. 1, 1942

[F. R. Doc. 52-2046; Filed, Feb. 19, 1952; 8:48 a. m.]

[Rent Regulation 1, Amdt. 25 to Schedule A]

[Rent Regulation 2, Amdt. 23 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

INDIANA, MICHIGAN AND PENNSYLVANIA

Effective February 20, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 15th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

1. Schedule A, Item 102, is amended to describe the counties in the defense-rental area as follows:

Lake County, except the Cities of Crown Point, East Chicago, Hammond and Hobart, the Town of Highland, and the Townships of Cedar Creek, Eagle Creek, Hanover, West Creek and Winfield.

This decontrols the Town of Highland in Lake County, Indiana, a portion of the Gary-Hammond, Indiana, Defense-Rental Area.

2. Schedule A, Item 156, is amended to describe the counties in the defense-rental area as follows:

In St. Clair County, the Townships of Clay, Cottrellville and Ira, and that portion of the City of New Baltimore which lies within St. Clair County.

This decontrols the Village of Algonac in St. Clair County, Michigan, a portion of the Port Huron, Michigan, Defense-Rental Area.

3. Schedule A, Item 266, is amended to describe the counties in the defense-rental area as follows:

Bucks County; Chester County; Delaware County, except the Boroughs of Media, Rose Valley and Swarthmore; Montgomery County, except the Borough of North Wales; and Philadelphia County.

In Bucks County, the Townships of Bensalem, Bristol, Falls, Middletown, Lower Makefield, Upper Makefield, Newtown, Wrightstown and Northampton, and the Boroughs of Bristol, Hulmeville, Langhorne, Langhorne Manor, Morrisville, Newtown, Penndell, South Langhorne, Tullytown and Yardley.

This decontrols the Borough of Media in Delaware County, Pennsylvania, a portion of the Philadelphia, Pennsylvania, Defense-Rental Area.

All decontrols effected by these amendments are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 52-2047; Filed, Feb. 19, 1952; 8:48 a. m.]

[Rent Regulation 2, Amdt. 2 to Schedule B]

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS

CALIFORNIA AND INDIANA

Effective February 20, 1952, Rent Regulation 2 is amended so that the items of Schedule B read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 18th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

48. *Provisions relating to the Ventura Defense-Rental Area (Item 40a of Schedule A):*

Partial decontrol of daily rates in motor courts. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, maximum daily rates established by this regulation on controlled housing accommodations in motor courts shall, on and after February 20, 1952, no longer be applicable to housing accommodations rented to transient tenants on a daily basis provided that such transient tenants are supplied with daily maid and linen service.

49. *Provisions relating to Hancock County, Indiana, a portion of the Indianapolis Defense-Rental Area (Item 103 of Schedule A):*

Decontrol of daily rates in motor courts. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended,

maximum daily rates established by this regulation on controlled housing accommodations in motor courts shall, on and after February 20, 1952, no longer be applicable.

[F. R. Doc. 52-2105; Filed, Feb. 19, 1952; 8:53 a. m.]

[Rent Regulation 3, Amdt. 41 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE-RENTAL AREAS

CALIFORNIA AND INDIANA

Effective February 20, 1952, Rent Regulation 3 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 18th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

1. In Schedule A, Item 40a is amended to read as follows:

(40a) [Revoked and decontrolled.]

This decontrols the entire Ventura, California, Defense-Rental Area on the initiative of the Director of Rent Stabilization in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 103, is amended to describe the counties in the defense-rental area as follows:

Hamilton.

This decontrols Hancock County, Indiana, a portion of the Indianapolis, Indiana, Defense-Rental Area on the initiative of the Director of Rent Stabilization in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 52-2106; Filed, Feb. 19, 1952; 8:53 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Docket No. 3666; Order 4]

PARTS 71–78—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of February 1952.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444), sections 831–835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that in application received we are asked to amend the aforesaid regulations as set forth in provisions made a part thereof.

It is ordered, That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71–78 OF THIS CHAPTER

Amend § 72.5, Commodity List (15 F. R. 8267, 8272, Dec. 2, 1950) (49 CFR 72.5, 1950 Rev.) as follows:

§ 72.5 *List of explosives and other dangerous articles.* (a) * * *

Article	Classed as—	Exemption and packing (see sec.)	Label required if not exempt	Maximum quantity in one outside container by rail express
Change				
Fire extinguisher charges containing not to exceed 50 grains of propellant explosives per unit.	See § 73.88 (f) note 1.			
Add				
Isopropyl mercaptan	F. L.	No exemption, 73.141.	Red	10 gallons.
Propellant explosives, class A, see High explosives.				
Propellant explosives	Expl. B	No exemption, 73.93.	Red ##	10 pounds.
Propellant explosives in water (*smokeless powder for cannon or small arms*).	Expl. B	No exemption, 73.93.		Not accepted.
Propellant explosives in water unstable, condemned or deteriorated (*smokeless powder for cannon or small arms*).	Expl. B	No exemption, 73.93.		Not accepted.
Propyl mercaptan	F. L.	No exemption, 73.141.	Red	10 gallons.
Smokeless powder for cannon or small arms, see Propellant explosives or High explosives.				
Cancel				
Smokeless powder for cannon	Expl. B	No exemption, 73.93.	Red ##	10 pounds.
Smokeless powder for cannon in water	Expl. B	No exemption, 73.93.		Not accepted.
Smokeless powder for cannon in water, *unstable, condemned, or deteriorated.*	Expl. B	No exemption, 73.93.		Do.
Smokeless powder for small-arms *in quantity not exceeding 50 pounds net weight.*	Expl. B	No exemption, 73.94.	Red ##	10 pounds.
Smokeless powder for small-arms *in quantity exceeding 50 pounds net weight.*	Expl. A	No exemption, 73.65 (f), 73.94.		Not accepted.
Smokeless powder for small-arms in water, *unstable, condemned, or deteriorated.*	Expl. B	No exemption, 73.94.		Do.
Smokeless powder for small-arms in water	Expl. B	No exemption, 73.94.		Do.

PART 73—SHIPPERS

Amend § 73.2 paragraph (a) (15 F. R. 8276, Dec. 2, 1950) (49 CFR 73.2, 1950 Rev.) to read as follows:

§73.2 *Classification; dangerous articles.* (a) Dangerous articles other than explosives having more than one hazardous characteristic, as defined by the regulations in Parts 71–78, must be classified according to the greatest hazard present, except those articles which are also poisons, class A, or class D, which must be classified according to both dangerous characteristics as defined herein.

SUBPART A—PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER

1. Add paragraph (a) (1) to § 73.28 (15 F. R. 8277, Dec. 2, 1950) (49 CFR 73.28, 1950 Rev.) to read as follows:

§ 73.28 *Reused containers.* (a) * * *

(1) Carboys must be retested as required by applicable specifications in Part 78 of this chapter.

2. Amend § 73.31 paragraph (g), Note 1 (16 F. R. 9373, Sept. 15, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.31) to read as follows:

§ 73.31 *Qualification, maintenance, and use of tank cars.* * * *

(g) * * *

NOTE 1. Periodic retests of metal tanks, safety valves, and heater systems of tank cars authorized and used exclusively for the transportation of flammable liquids and liquefied petroleum gases, now required to be made as prescribed in paragraph (g) of this section, may be waived because of the present emergency and until December 31, 1952, or until further order of the Commission.

* * * * *

3. Amend § 73.34 paragraphs (k) (1) and (k) (11), add Note 2 to (k) (11) and amend Note 1 to paragraph (m) (6) (15 F. R. 8284, Dec. 2, 1950) (49 CFR 73.34, 1950 Rev.) to read as follows:

§ 73.34 *Qualification, maintenance, and use of cylinders.* * * *

(k) * * *

(1) All cylinders not exceeding 2 inches outside diameter and length less than 2 feet are exempted from retest.

* * * * *

(11) Cylinders made in compliance with specifications ICC–4B (§ 78.50 of this chapter), ICC–4BA (§ 78.51 of this chapter), and ICC–26–300 [3] used exclusively for methyl chloride, or liquefied petroleum gas, or dichlorodifluoromethane, difluoroethane, difluoromonochloroethane, monochlorodifluoromethane, monochlorotetrafluoroethane, monochlorotrifluoroethylene or mixtures thereof or mixtures of one or more with trichloromonofluoromethane, commercially free from corroding components, and protected externally by suitable corrosion resisting coatings (such as galvanizing, painting, etc.) may be retested decennially (see Note 2) instead of quinquennially, or, such cylinders may be subjected to an internal hydrostatic

pressure equal to at least 2 times the marked service pressure without determination of expansions (see Note 1), but this type of test must be repeated quinquennially after expiration of the first ten-year period (see Note 2). When subjected to this latter test cylinders must be carefully examined under the test pressure and removed from service if leaks or other harmful defects exist. All tests must be supplemented by a very careful examination of the cylinder at each filling, and must be rejected if evidence is found of bad dents, corroded areas, a leak or other conditions that indicate possible weakness which would render the cylinder unfit for service.

(Note 1 remains the same.)

NOTE 2. Due to the present emergency and until further order of the Commission, the decennial retest period may be extended to a twelve-year period, and the quinquennial retest period may be extended to a seven-year period after expiration of the first twelve-year period.

* * * * *

(m) * * *

(6) * * *

NOTE 1. Heat-treatment is not required after welding or brazing weldable low carbon parts to attachments of similar material which has been previously welded or brazed to the top or bottom of cylinders and properly heat-treated, provided such subsequent welding or brazing does not produce a temperature in excess of 400° F. in any part of the top or bottom material. The physical and flattening tests may be omitted when the cylinders are not reheat-treated.

* * * * *

SUBPART B—EXPLOSIVES; DEFINITIONS AND PREPARATION

1. Amend § 73.53 paragraphs (a) and (b) (15 F. R. 8285, Dec. 2, 1950) (49 CFR 73.53, 1950 Rev.) to read as follows:

§ 73.53 *Definition of class A explosives*—(a) *Type 1.* Solid explosives which can be caused to deflagrate by contact with sparks or flame such as produced by safety fuse or an electric squib, but cannot be detonated (see Note 1) by means of a No. 8 test blasting cap (see Note 2). Example: Black powder, low explosives, and certain types of propellant explosives.

(b) *Type 2.* Solid explosives which contain a liquid explosive ingredient, and which, when unconfined (see Note 3), can be detonated by means of a No. 8 test blasting cap (see Note 2); or which can be exploded in at least 50 percent of the trials in the Bureau of Explosives' Impact apparatus (see Note 4) under a drop of 4 inches or more, but cannot be exploded in more than 50 percent of the trials under a drop of less than 4 inches. Example: Commercial dynamite containing a liquid explosive ingredient and some types of propellant explosives.

* * * * *

2. Amend § 73.60 paragraphs (a) (6), (b) (2) and (d) (2) (15 F. R. 8287, Dec. 2, 1950) (49 CFR 73.60, 1950 Rev.) to read as follows:

§ 73.60 *Black powder and low explosives* (a) * * *

(6) Spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter). Fiberboard boxes with inside cylindrical fiber cartridges not over 5 inches diameter nor over 18 inches long with fiber at least 0.05 inch thick paraffined on outer surface with joints securely glued or cemented, or strong paraffined paper cartridges not over 12 inches long authorized only for compressed pellets (cylindrical block) ⅞ inch or more in diameter. Boxes must be completely lined with strong paraffined paper or other suitable waterproofed material without joints or other openings at the bottom or sides. Authorized gross weight not to exceed 65 pounds.

(b) * * *

(2) Spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter). Fiberboard boxes with inside containers which must be cloth or paper bags of capacity not exceeding 25 pounds, net weight, provided the completed shipping package shall be capable of standing a drop of 4 feet without rupture of inner or outer containers. The tubes of the box may be eliminated and a single tube as specified in spec. 23F may be substituted. The completed package shall not contain more than 50 pounds, net weight, of black powder.

* * * * *

(d) * * *

(2) Spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter). Fiberboard boxes with inside containers which must be strong paper bags of capacity not exceeding 25 pounds. Gross weight must not exceed 65 pounds.

* * * * *

3. Amend § 73.63 paragraphs (a) (2), (b), (c) (1), (d) (2) and (e) (2) (15 F. R. 8288, Dec. 2, 1950) (49 CFR 73.63, 1950 Rev.) to read as follows:

§ 73.63 *High explosive with liquid explosive ingredient.* (a) * * *

(2) Spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter). Wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be cartridges not exceeding 12 inches in diameter or 50 pounds in weight with length not to exceed 36 inches, or bags not exceeding 50 pounds each securely closed so as to prevent leakage therefrom. Gross weight of wooden boxes not to exceed 75 pounds and gross weight of fiberboard boxes not to exceed 65 pounds.

(b) High explosives (dynamite) containing 10 percent or less of a liquid explosive ingredient in cartridges or bags as prescribed in § 73.61 (d) and (e) may be packed in wooden boxes, spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter), gross weight not to exceed 140 pounds, or fiberboard boxes, spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter), gross weight not to exceed 65 pounds.

* * * * *

(c) * * *

(1) Spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter). Wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be cartridges not exceeding 4 inches in diameter or 8 inches in length, or cartridges not exceeding 5 inches in diameter or 10 inches in length, provided each such cartridge is enclosed alone, or with other cartridges in another strong paper shell and the resulting cartridge dipped in melted paraffin or equivalent material. The length of such completed cartridge shall not exceed 30 inches. Gross weight of wooden boxes not to exceed 75 pounds and gross weight of fiberboard boxes not to exceed 65 pounds.

(d) * * *

(2) Spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter). Wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be cartridges not exceeding 12 inches in diameter or 50 pounds in weight with length not to exceed 36 inches, or bags not exceeding 12½ pounds each packed with filling holes up. Gross weight of wooden boxes not to exceed 75 pounds and gross weight of fiberboard boxes not to exceed 65 pounds.

(e) * * *

(2) Spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter). Fiberboard boxes.

* * * * *

4. Amend § 73.64 paragraph (a) (2) (15 F. R. 8289, Dec. 2, 1950) (49 CFR 73.64, 1950 Rev.) to read as follows:

§ 73.64 *High explosives with no liquid explosive ingredient.* (a) * * *

(2) Spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter). Fiberboard boxes.

* * * * *

5. Amend § 73.65 paragraphs (a) (2) and (h) and cancel paragraph (j) (15 F. R. 8289, 8290, Dec. 2, 1950) (49 CFR 73.65, 1950 Rev.) to read as follows:

§ 73.65 *High explosives with no liquid explosive ingredient nor any chlorate.* (a) * * *

(2) Spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter). Fiberboard boxes.

* * * * *

(h) Shaped charges, commercial, must be packed in containers complying with specifications 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter), wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be strong fiber tubes. Shaped charges having exposed lined conical cavities must have such cavities effectively filled. Shaped charges having conical cavities that are covered shall be paired together with the cavities facing each other and with one or more pairs in a fiber tube, or so arranged that the conical cavities of the shaped charges at the ends of the column face toward the center of the tube. The shaped charges in the fiber tubes must fit snugly with no excess space and the fiber tubes containing the shaped charges must be packed snugly with no excess space in the outside fiberboard or wooden box. Gross weight of wooden boxes not to exceed 140 pounds. Gross weight of fiberboard boxes not to exceed 65 pounds.

* * * * *

(j) [Canceled.]

* * * * *

6. Amend § 73.66 paragraph (g) (1) (15 F. R. 8290, Dec. 2, 1950) (49 CFR 73.66, 1950 Rev.) to read as follows:

§ 73.66 *Blasting caps and electric blasting caps.* * * *

(g) * * *

(1) Spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter. Wooden boxes (see § 73.67 (a) (1), Note 1) or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be pasteboard cartons containing not more than 100 caps each, or pasteboard tube inclosing each cap with wires or with the wires wrapped around the tube. Gross weight of wooden boxes containing pasteboard cartons must not exceed 150 pounds, except for export shipment. Gross weight of wooden boxes containing pasteboard tube must not exceed 75 pounds.

* * * * *

7. Amend § 73.67 (a) (1) Note 2 (15 F. R. 8290, Dec. 2, 1950) (49 CFR 73.67, 1950 Rev.) to read as folows:

§ 73.67 *Blasting caps with safety fuse.* (a) * * *

(1) * * *

NOTE 2. Because of the present emergency and until further order of the Commission, fiberboard boxes, spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter), may be used in lieu of prescribed wooden boxes, spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter).

* * * * *

8. Amend § 73.68 paragraph (a) (1) (15 F. R. 8290, Dec. 2, 1950) (49 CFR 73.68, 1950 Rev.) to read as follows:

§ 73.68 *Detonating primers.* (a) * * *

(1) Spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter). Wooden boxes (see § 73.67 (a) (1), Note 1) or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be pasteboard cartons containing not more than 50 primers each, or pasteboard or plastic tube inclosing each primer with wires, or pasteboard, wooden, metal or plastic tubes or spools with wires wrapped around the tube or spool. Gross weight of wooden boxes containing pasteboard cartons must not exceed 150 pounds, except for export shipment. Gross weight of wooden boxes containing pasteboard or plastic tube inclosing each primer with wires, or pasteboard, wooden, metal or plastic tubes or spools with the wires wrapped around the tube or spool, must not exceed 75 pounds.

* * * * *

9. Amend § 73.88 paragraphs (a) and (f) and Note 1 to (f) (15 F. R. 8293, Dec. 2, 1950) (49 CFR 73.88, 1950 Rev.) to read as follows:

§ 73.88 *Definition of class B explosives.* (a) Explosives, class B, are defined as those explosives which in general function by rapid combustion rather than detonation and include some explosive devices such as special fireworks, flash powders, some pyrotechnic signal devices and solid propellant explosives which include some smokeless powders. These explosives are further specifically described in paragraphs (b) to (f) of this section.

* * * * *

(f) *Propellant explosives.* Propellant explosives are solid chemicals or solid chemical mixtures which function by rapid combustion of successive layers, generally with little or no smoke, and some may also be sensitive to detonation. The rate of combustion is controlled by composition, size and form of grain. Propellant explosives as prepared for shipment that are also sensitive to detonation are class A explosives as defined in § 73.53. Propellant explosives include smokeless powder for small arms, smokeless powder for cannon, smokeless powder or solid propellant explosives for rockets, jet thrust units, or other devices. Black powder is not included in this classification and is defined specifically in § 73.53 (a).

NOTE 1. Fire-extinguisher charges containing not to exceed 50 grains of propellant explosives per unit are exempt from the regulations in Parts 71–78 of this chapter.

10. Amend § 73.91 paragraph (f) (2) (15 F. R. 8294, Dec. 2, 1950) (49 CFR 73.91, 1950 Rev.) to read as follows:

§ 73.91 *Special fireworks.* * * *

(f) * * *

(2) Spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter). Fiberboard boxes. Gross weight not to exceed 65 pounds.

* * * * *

11. Amend entire § 73.93 (15 F. R. 8294, 8295, Dec. 2, 1950) (16 F. R. 5323, June 6, 1951) (16 F. R. 9373, September 15, 1951) (16 F. R. 11776, 11777, November 21, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.93) to read as follows:

§ 73.93 *Propellant explosives for cannon, small arms, or other devices.* (a) Propellant explosives for cannon, small arms, or other devices, when offered for transportation by carriers by rail freight, highway, or water must be packed in containers complying with the following specifications (see paragraph (f) (1) and (2) of this section and § 75.675 of this chapter for shipments by rail express):

(1) Spec. 10B (§ 78.156 of this chapter). Wooden barrels or kegs. Gross weight not to exceed 200 pounds.

(2) Spec. 13 (§ 78.140 of this chapter). Metal kegs at least 8 inches long. Gross weight not to exceed 150 pounds.

(3) Bundles of metal kegs, spec. 13 (§ 78.140 of this chapter), firmly tied together with rope and wrapped in strong burlap, canvas, or similar material, securely sewed and roped, are authorized. Net weight of propellant explosives must not exceed 100 pounds.

(4) Tight metal cases in tight wooden boxes free from loose knots and cracks or tight metal containers. Gross weight not to exceed 200 pounds.

(5) Spec. 14 or 15A (§§ 78.165 or 78.168 of this chapter). Wooden boxes, metal-lined, spec. 2F (§ 78.25 of this chapter). Gross weight not to exceed 200 pounds.

(6) Spec. 14 or 15A (§§ 78.165 or 78.168 of this chapter). Wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be cloth or paper bags, of capacity not exceeding 25 pounds, net weight, each capable of withstanding, when filled to shipping content, at least two drops on end from a height of 4 feet, without breakage or sifting of contents. Outside container not to exceed more than 50 pounds, net weight.

(7) Spec. 14, 15A, 15B or 15C (§§ 78.165, 78.168, 78.169 or 78.170 of this chapter) wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be spec. 13 (§ 78.140 of this chapter) metal kegs. Gross weight not to exceed 200 pounds in wooden boxes or 65 pounds in fiberboard boxes.

(8) Spec. 14, 15A, 15B or 15C (§§ 78.165, 78.168, 78.169 or 78.170 of this chapter) wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be fiber or metal containers of not more than 1½ pounds capacity each. Gross weight not to exceed 200 pounds in wooden boxes or 65 pounds in fiberboard boxes.

(9) Spec. 14, 15A, 15B or 15C (§§ 78.165, 78.168, 78.169 or 78.170 of this chapter) wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be not to exceed four metal containers, spec. 2A (§ 78.20 of this chapter), of not more than 25 pounds each. Gross weight in fiberboard boxes not to exceed 65 pounds.

(10) Spec. 21A or 21B (§§ 78.222 or 78.223 of this chapter). Fiber drums. Drums having wooden heads must be provided with a strong sift-proof liner. Use of these containers will be permitted because of the present emergency and until further order of the Commission.

(b) Propellant explosives (smokeless powder for cannon or small-arms) in water when offered for transportation by carriers by rail freight, highway, or water must be packed in containers complying with the following specifications:

(1) Spec. 5, 5A, 5B, 6A, 6B, or 6C (§§ 78.80, 78.81, 78.82, 78.97, 78.98, or 78.99 of this chapter). Metal barrels or drums.

(2) Spec. 10A or 10B (§§ 78.155 or 78.156 of this chapter). Wooden barrels or kegs.

(3) Spec. 15A (§ 78.168 of this chapter). Wooden boxes, metal-lined, spec. 2F (§ 78.25 of this chapter).

(c) Igniters composed of black powder may be included in shipments of propellant explosives.

(d) Propellant explosives (unstable, condemned, or deteriorated smokless powder for cannon or small arms) must be packed submerged in water in containers complying with the following specifications:

(1) Spec. 5, 5A, 5B, 6A, 6B, or 6C (§§ 78.80, 78.81, 78.82, 78.97, 78.98, or 78.99 of this chapter). Metal barrels or drums.

(2) Spec. 10A or 10B (§§ 78.155 or 78.156 of this chapter). Wooden barrels or kegs.

(3) Spec. 15A (§ 78.168 of this chapter). Wooden boxes, metal-lined, spec. 2F (§ 78.25 of this chapter).

(4) Spec. 103 or 103W (§§ 78.265 or 78.280 of this chapter). Tank cars.

(5) Propellant explosives (unstable, condemned, or deteriorated smokeless

powder for cannon or small arms) must not be offered for transportation by rail express.

(e) Each outside container must be plainly marked "PROPELLANT EXPLOSIVES" or "PROPELLANT EXPLOSIVES IN WATER", as the case may me. There may be added such additional marking as "SMOKELESS POWDER FOR CANNON" or "SMOKELESS POWDER FOR SMALL ARMS" as the case may be.

(f) Propellant explosives when offered for transportation by rail express must be packed as follows (also authorized for transportation by carriers by rail freight, highway, or water):

(1) In tightly closed metal cans or fiber containers, not exceeding one pound each, packed in outside wooden boxes, Spec. 15C (§ 78.170 of this chapter), or outside fiberboard boxes, Spec. 12B, 23F, or 23H (§§ 78.205, 78.214, or 78.219 of this chapter). Not more than 10 one-pound cans or 10 one-pound fiber containers may be shipped in one outside container. Each outside container must be plainly marked "PROPELLANT EXPLOSIVES".

(2) Label: Each outside container of propellant explosives, when offered for transportation by rail express or water, must have securely and conspicuously attached to it a square red label as described in § 73.412.

12. Cancel entire § 73.94 (15 F. R. 8295, Dec. 2, 1950) (16 F. R. 5323, June 6, 1951) (16 F. R. 9373, September 15, 1951) (16 F. R. 11777, November 21, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.94).

13. Amend § 73.100 paragraph (b) (16 F. R. 9374, September 15, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.100) to read as follows:

§ 73.100 *Definitions of class C explosives.* * * *

(b) Small-arms ammunition, designed to be fired from a pistol, revolver, rifle, or shotgun held by the hand or by the shoulder, or machine guns of caliber less than .75, or blank remover cartridges fired from catapults and canopies, is fixed ammunition consisting of a metallic or paper cartridge case, a primer and a propelling charge, with or without bullet, shot, tear gas material, tracer components, or incendiary compositions or mixtures, but not including bullets loaded with high explosives.

* * * * *

SUBPART C—FLAMMABLE LIQUIDS; DEFINITION AND PREPARATION

1. Add paragraphs (c) (19) and (20) to § 73.118 (15 F. R. 8298, Dec. 2, 1950) (49 CFR 73.118, 1950 Rev.) to read as follows:

§ 73.118 *Exemptions for flammable liquids.* * * *

(c) * * *

(19) Isopropyl mercaptan.

(20) Propyl mercaptan.

2. Amend § 73.124 paragraphs (a) (1) and (3) (15 F. R. 8301, Dec. 2, 1950) (49 CFR 73.124, 1950 Rev.) to read as follows:

§ 73.124 *Ethylene oxide.* (a) * * *

(1) Spec. 15A, 15B, 15C, or 16A (§§ 78.168, 78.169, 78.170, or 78.185 of this chapter) wooden boxes and Spec. 12B (§ 78.205 of this chapter) fiberboard boxes, with metal inside containers not over 12-ounce capacity each. Each inside container must have a minimum bursting strength of 180 psig as prepared for shipment and be provided with a safety vent having a minimum diameter of 0.1023 inch and closed with fusible metal having a yield temperature of 157 to 170° F. The safety vent opening shall be hot tinned before filling with fusible metal. Filling shall be such that the container will not be liquid full below 185° F. Each inside container must be completely insulated, except for top closure, with two coats of heat-retardant paint, of type approved by the Bureau of Explosives, applied over suitable primer and finished with suitable waterproof paint; or with other equally efficient insulation approved by the Bureau of Explosives. Not more than 12 inside containers nor more than one layer of containers may be packed in one outside container.

* * * * *

(3) In addition to specification containers prescribed in this section, ethylene oxide may be shipped when packed in strong incombustible outside containers, with inside containers which must be securely sealed glass ampules or vials, contents not over 100 grams each, cushioned in vermiculite or equally efficient incombustible cushioning material. Not more than 100 grams of ethylene oxide shall be packed in any such outside container.

* * * * *

3. Amend § 73.141 introductory text of paragraph (a) (16 F. R. 11777, November 21, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.141) to read as follows:

§ 73.141 *Amyl mercaptan, butyl mercaptan, ethyl mercaptan, isopropyl mercaptan, propyl mercaptan, and aliphatic mercaptan mixtures.* (a) Amyl mercaptan, butyl mercaptan, ethyl mercaptan, isopropyl mercaptan, propyl mercaptan, and aliphatic mercaptan mixtures must be packed in specification containers as follows:

* * * * *

SUBPART D—FLAMMABLE SOLIDS AND OXIDIZING MATERIALS; DEFINITION AND PREPARATION

1. Amend § 73.206 paragraph (c) (2) (16 F. R. 5324, June 6, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.206) to read as follows:

§ 73.206 *Sodium or potassium, metallic, sodium amide, lithium metal, lithium silicon, and lithium hydride.* * * *

(c) * * *

(2) Spec. 17C, or 17H or 37D (§§ 78.115, 78.118 or 78.125 of this chapter). Metal drums (single-trip) authorized for cylindrical blocks at least 2 inches in diameter and not less than 6 inches in length, or rectangular blocks not less than 6 inches in length and not less than 2 inches in any other dimension. Net weight not over 300 pounds for Spec. 17C drums; not over 30 pounds for Spec. 17H or 37D drums.

* * * * *

2. Amend § 73.208 paragraph (b) (1) (16 F. R. 9374, September 15, 1951 (49 CFR, 1950 Rev., 1951 Supp. 73.208) to read as follows:

§ 73.208 *Titanium metal powder, wet or dry.* * * *

(b) * * *

(1) Spec. 15A or 15B (§§ 78.168 or 78.169 of this chapter). Wooden boxes with inside metal containers, tightly and securely closed by push-in covers, held in place by soldering at least four points, or in screw-cap metal cans. Inside containers must not exceed 10 pounds net each. Inside containers must be cushioned by incombustible material such as rock wool or asbestos wool. Gross weight of outside package must not exceed 75 pounds each.

* * * * *

3. Amend § 73.217 paragraph (b) (15 F. R. 8311, Dec. 2, 1950) (49 CFR 73.217, 1950 Rev.) to read as follows:

§ 73.217 *Calcium hypochlorite compounds, dry, and lithium hypochlorite compounds, dry.* * * *

(b) Strong outside wooden or fiberboard packages containing inside containers of glass or metal not over five pounds capacity each are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by water, strong wooden or fiberboard packages containing inside containers of metal not over five pounds capacity each are exempt from specification packaging only.

SUBPART E—ACIDS AND OTHER CORROSIVE LIQUIDS; DEFINITION AND PREPARATION

1. Amend § 73.245 paragraph (a) (4) (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.245, 1950 Rev.) to read as follows:

§ 73.245 *Acids or other corrosive liquids not specifically provided for.* (a) * * *

(4) Spec. 5A or 5M (§§ 78.81 or 78.90 of this chapter). Metal barrels or drums.

* * * * *

2. Amend § 73.247 paragraph (a) (3) (16 F. R. 11778, November 21, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.247) to read as follows:

§ 73.247 *Acetyl chloride, antimony pentachloride, benzoyl chloride, benzyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di), thionyl chloride, tin tetrachloride (anhydrous), and titanium tetrachloride.* (a) * * *

(3) Spec. 1A, 1C, 1D, or 1E (§§ 78.1, 78.3, 78.4, or 78.7 of this chapter). Glass carboys in boxes, kegs, or plywood drums (not permitted for antimony pentachloride or tin tetrachloride, anhydrous).

* * * * *

3. Amend § 73.255 paragraph (a) (1) (15 F. R. 8315, Dec. 2, 1950) (49 CFR 73.255, 1950 Rev.) to read as follows:

§ 73.255 *Dimethyl sulfate.* (a) * * *

(1) Spec. 5A or 5C (§§ 78.81 or 78.83 of this chapter). Metal barrels or drums not over 55 gallons each. Spec. 5C metal barrels or drums must be constructed of Type 304 stainless steel.

* * * * *

4. Amend § 73.256 paragraph (a) (2) (15 F. R. 8315, Dec. 2, 1950) (49 CFR 73.256, 1950 Rev.) to read as follows:

§ 73.256 *Compounds, cleaning, liquid.* (a) * * *

(2) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside containers of natural rubber, ceresine, lead, or other material of equal strength and not subject to destruction by the lading.

5. Amend § 73.264 paragraphs (a) (1), (a) (2), (a) (3) and (a) (8) (15 F. R. 8317, Dec. 2, 1950) (16 F. R. 11778, November 21, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.264) to read as follows:

§ 73.264 *Hydrofluoric acid.* (a) * * *

(1) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter). Wooden boxes with inside containers of natural rubber, ceresine, lead, or other hydrofluoric acid resistant material. These containers are authorized only for strengths of acid for which they are adequate, but in no case may the strength of acid exceed 65 percent.

(2) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside containers of natural rubber, lead, polyethylene, or other hydrofluoric acid resistant plastic not over one pound capacity each. These containers are authorized only for strengths of acid for which they are adequate, but in no case shall the strength of acid exceed 65 percent.

(3) Spec. 11A or 11B (§§ 78.160 or 78.161 of this chapter). Wooden barrels or kegs with inside containers of natural rubber, ceresine, or lead. Lead containers are authorized for acid not over 65 percent strength.

* * * * *

(8) Spec. 103A, 103A-W, 104A, 104A-W, 105A, 105A-W or ARA-IV-A[1] (§§ 78.266, 78.281, 78.270, 78.285, 78.271 to 78.274, 78.286 to 78.289 of this chapter). Unlined metal tank cars which have been subjected to adequate passification or neutralization process. (See Note 1 to paragraph (a) (7) of this section.) Authorized only for acid of 60 to 80 percent strength. If tanks are washed out with water they must be repassified before reshipment.

* * * * *

6. Amend § 73.265 paragraph (a) (1) and add paragraph (b) (4) (15 F. R. 8318, Dec. 2, 1950) (49 CFR 73.265, 1950 Rev.) to read as follows:

§ 73.265 *Hydrofluosilicic acid.* (a) * * *

(1) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter). Wooden boxes with inside containers of natural rubber, ceresine, or other material of equal efficiency resistant to hydrofluosilicic acid.

* * * * *

(b) * * *

(4) Spec. MC 310 (§ 78.330 of this chapter). Tank motor vehicles, lined with rubber.

SUBPART G—POISONOUS ARTICLES; DEFINITION AND PREPARATION

1. Amend § 73.353 paragraph (a) (3) (16 F. R. 11779, November 21, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.353) to read as follows:

§ 73.353 *Methyl bromide.* (a) * * *

(3) Spec. 3A225, 3AA225, 3B225, 3E1800, 4A225, 4B225, or 4BA225 (§§ 78.36, 78.37, 78.38, 78.42, 78.49, 78.50, or 78.51 of this chapter). Metal cylinders of not over 125 pounds water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.08 inch must be packed in boxes or crates (see § 78.25).

(No change in Note 1.)

* * * * *

2. Amend § 73.357 paragraph (b) (1) (16 F. R. 11779, November 21, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.357) to read as follows:

§ 73.357 *Chlorpicrin and chlorpicrin mixtures containing no compressed gas or poisonous liquid, Class A.* * * *

(b) * * *

(1) Spec. 3A, 3AA, 3B, 3C, 3D, 3E, 4A, 4B, or 4C (§§ 78.36, 78.37, 78.38, 78.40, 78.41, 78.42, 78.49, 78.50, or 78.52 of this chapter). Metal cylinders of not over 250 pounds water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.08 inch must be packed in boxes or crates (see § 73.25).

* * * * *

SUBPART H—MARKING AND LABELING EXPLOSIVES AND OTHER DANGEROUS ARTICLES

1. Amend § 73.400 paragraph (f) (15 F. R. 8340, Dec. 2, 1950) (49 CFR 73.400, 1950 Rev.) to read as follows:

§ 73.400 *Explosives.* * * *

(f) Each shipment of propellant explosives when offered for transportation by carriers by rail express must bear the label prescribed by § 73.412.

* * * * *

2. Amend § 73.402 introductory text of paragraph (a) and paragraphs (a) (1) to (a) (10) inclusive (16 F. R. 9380, September 15, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.402) to read as follows:

§ 73.402 *Labeling dangerous articles.* (a) Each package containing any dangerous article as defined by Parts 71-78 of this chapter must be conspicuously labeled by the shipper as follows, except as otherwise provided:

(1) "Red label" as described in § 73.405 on containers of flammable liquids, except when exempted from the regulations by § 73.118. If flammable liquid is also a class A poison or a radioactive material poison D, the "poison gas" label or "Radioactive materials" label must also be applied to the package.

(2) "Yellow label" as described in § 73.406 on containers of flammable solids and oxidizing materials, except when exempted from the regulations by §§ 73.153 and 73.183. If flammable solid or oxidizing material is also a class A poison or a radioactive material poison D, the "poison gas" label or "radioactive materials" label must also be applied to the package.

(3) "White label" as described in § 73.407 (a) (1), (2) and (3) on containers of acids, alkaline caustic liquids or corrosive liquids, except when exempted from regulations by § 73.244. If the acid, alkaline caustic liquid or corrosive liquid is also a class A poison or a radioactive material poison D, the "poison gas" label or "radioactive materials" label must also be applied to the package.

(4) "Red label" as described in § 73.408 (a) (1) on containers of flammable compressed gases, except when exempted from the regulations by § 73.302. If the flammable compressed gas is also a class A poison or a radioactive material poison D, the "poison gas" label or "radioactive materials" label must also be applied to the package.

(5) "Green label" as described in § 73.408 (a) (2) on containers of nonflammable compressed gases, except when exempted from the regulations by § 73.302. If the nonflammable compressed gas is also a class A poison or a radioactive material poison D, the "poison gas" label, or "radioactive materials" label must also be applied to the package.

(6) "Poison gas" label as described in § 73.409 (a) (1) on containers of class A poisons.

(7) "Poison" label as described in § 73.409 (a) (2) on containers of class B poison liquids or solids, except when exempted from the regulations by § 73.345 and § 73.364. If the class B poison liquid or solid is also a radioactive material poison D, the "radioactive materials" label must also be applied to the package.

(8) "Radioactive Materials" label as described in § 73.414 (a) on containers of class D poisons, Group I and II except when exempted by § 73.392.

(9) "Radioactive Materials" label as described in § 73.414 (b) on containers of class D poisons, Group III, except when exempted by § 73.392.

(10) "Tear gas" label as described in § 73.409 (a) (3) on containers of poisons, class C.

* * * * *

3. Add § 73.403 (16 F. R. 9380, September 15, 1951) (49 CFR, 1950 Rev., 1951 Supp., 73.403) to read as follows:

§ 73.403 *Labels for mixed packing.* (a) Use red label only when red and other labels are prescribed except when poison gas label or radioactive materials label are prescribed then both the red label and the poison gas label or red label and radioactive materials label must be used.

(b) Use white acid (alkaline caustic liquid or corrosive liquid) label only when white acid (alkaline caustic liquid or corrosive liquid) and yellow or poison labels are prescribed or poison labels (class B) are prescribed, except when poison gas label or radioactive materials label are prescribed then both the white acid label and the poison gas label or white acid and radioactive materials label must be used.

(c) Use yellow label only when yellow and poison labels are prescribed except when poison gas label or radioactive materials label are prescribed then both the yellow label and the poison gas label or the yellow label and the radioactive materials label must be used.

4. Amend § 73.412 introductory text of paragraph (a), (a) (1) and cancel (a) (2) (15 F. R. 8342, 8343, Dec. 2, 1950) (49 CFR 73.412, 1950 Rev.) to read as follows:

§ 73.412. *Propellant explosives label for express shipment.* (a) Label for propellant explosives must be square measuring 4 inches on each side and bright red in color. Printing must be in black letters inside of a black-line border measuring 3½ inches on each side and as shown in this section.

(1) *Red label for propellant explosives for express shipment.*

(Reduced size)
(Black printing on red)

4 inches

PROPELLANT EXPLOSIVES FOR EXPRESS SHIPMENT

HANDLE CAREFULLY
KEEP FIRE AWAY

This is to certify that the contents of this package are properly described by name and are packed and marked and are in proper condition for transportation according to the regulations prescribed by the Interstate Commerce Commission.

(Shipper's name)

4 inches

(2) [Canceled.]

PART 74—REGULATIONS APPLYING PARTICULARLY TO CARRIERS BY RAIL FREIGHT

SUBPART A—LOADING, UNLOADING, PLACARDING AND HANDLING CARS; LOADING PACKAGES INTO CARS

1. Amend § 74.525 paragraph (a) (15 F. R. 8345, Dec. 2, 1950) (49 CFR 74.525, 1950 Rev.) to read as follows:

§ 74.525 *Loading packages of explosives in cars, selection, preparation, inspection of car and certificate.* (a) Certified cars: For the transportation of all explosives, class A, except blasting caps and electric blasting caps not exceeding 1,000 caps, only closed cars, certified and placarded "Explosives", may be used.

* * * * *

2. Amend § 74.526 paragraph (n) (15 F. R. 8347, Dec. 2, 1950) (49 CFR 74.526, 1950 Rev.) to read as follows:

§ 74.526 *Loading explosives into cars.*

* * *

(n) Container cars must not be used for class A explosives, or blasting caps in any quantity.

3. Amend § 74.527 paragraph (a) (15 F. R. 8347, Dec. 2, 1950) (49 CFR 74.527, 1950 Rev.) to read as follows:

§ 74.527 *Forbidden mixed loading and storage.* (a) Explosives, class A, and initiating or priming explosives must not be transported in the same car with, nor be stored on railway property near, any of the dangerous articles other than explosives for which red, yellow, green, or white (acid or corrosive liquid) labels are prescribed in Parts 71–78, of this chapter, nor with charged electric storage batteries.

* * * * *

4. Amend § 74.532 paragraph (c) (15 F. R. 8347, Dec. 2, 1950) (49 CFR 74.532, 1950 Rev.) to read as follows:

§ 74.532 *Loading other dangerous articles into cars.* * * *

(c) Packages protected by labels or carload lots exempted from labels (see § 73.402 (c) and (d) of this chapter) must be so loaded that packages cannot fall to the car floor and in such manner that other packages cannot fall onto or slide against them. Packages bearing marking "This Side Up" must be so loaded. Dangerous articles for which red, yellow, green, or white (acid, alkaline caustic liquid, or corrosive liquid) labels are prescribed herein, must not be loaded in the same car with explosives named in §§ 73.53 to 73.87 of this chapter. (See loading and storage chart, § 74.538.) Packages protected by yellow labels must not be loaded in the same end of a car with packages protected by "Acid", "Alkaline Caustic Liquid", or "Corrosive Liquid" labels.

* * * * *

SUBPART B—LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

1. Amend Items b and 2 vertical and horizontal columns and footnote b of chart in paragraph (a) of § 74.538 (15 F. R. 8349, Dec. 2, 1950) (49 CFR 74.538, 1950 Rev.) to read as follows:

§ 74.538 *Loading and storage chart of explosives and other dangerous articles.* (a) * * *

"b" High explosives

* * * * *

"2" Propellant explosives or jet thrust units (jato), class B.

* * * * *

[b] Unless loaded in opposite ends of car, acids, or corrosive liquids, white label, must not be loaded with yellow label articles, ammunition for cannon with or without projectiles, or propellant explosives.

* * * * *

SUBPART C—PLACARDS ON CARS

1. Amend § 74.540 paragraph (a) (15 F. R. 8350, Dec. 2, 1950) (49 CFR 74.540, 1950 Rev.) to read as follows:

§ 74.540 *"Explosives" placards.* (a) Explosives placards as prescribed in § 74.550 must be applied to certified cars containing explosives, class A, specified in §§ 73.53 to 73.87 of this chapter. Placards must show in the spaces provided station name and date.

(Note 1 remains the same.)

2. Amend § 74.541 paragraphs (a) (4) and (5) (15 F. R. 8350, Dec. 2, 1950) (49 CFR 74.541, 1950 Rev.) to read as follows:

§ 74.541 *"Dangerous" placards; "Dangerous—Class D poison" placards; or "Caution—Residual phosphorus" placards.* (a) * * *

(4) Cars containing shipments of explosives, class B.

(Note 1 remains the same.)

(5) When explosives, class A, are loaded in the same car with explosives, class B, or poisonous solids or liquids, class B, only the "Explosives" placard is required.

* * * * *

SUBPART D—UNLOADING FROM CARS

1. Amend § 74.584 paragraph (a) Table (16 F. R. 5327, June 6, 1951) (49 CFR, 1950 Rev., 1951 Supp., 74.584) to read as follows:

§ 74.584 *Waybills, switching orders, or other billing.* (a) * * *

	Label notation to follow entry of the article on the billing	Placard notation to follow entry of the article on the billing.	Placard endorsement must be ¾" high and appear on the billing near the space provided for the car number
For high explosives, initiating explosives and low explosives, class A.	None	"Explosives Placard".	"Explosives".
For explosive chemical ammunition containing class A poison gas.	Poison gas label	"Explosives and Poison Gas Placard".	"Explosives" and "Poison Gas".
For explosives, class B	None	"Dangerous Placard".	"Dangerous".
For explosives, class C	None	None	None.
For flammable liquids	Red label	"Dangerous Placard".	"Dangerous".
For flammable solids	Yellow label	"Dangerous Placard".	"Dangerous".
For oxidizing materials	Yellow label	"Dangerous Placard".	"Dangerous".
For corrosive liquids	White label	"Dangerous Placard".	"Dangerous".
For compressed nonflammable gases in containers other than tank cars.	Green label	None	None.
For compressed nonflammable gases in tank cars.	None	"Dangerous Placard".	"Dangerous".
For compressed flammable gases	Red Gas label	"Dangerous Placard".	"Dangerous".
For poisonous gases or liquids, class A	Poison Gas label	"Poison Gas Placard".	"Poison Gas".
For poisonous liquids or solids, class B	Poison label	"Dangerous Placard".	"Dangerous".
For tear gases, class C	Tear Gas label	None	None.
For radioactive materials, class D, poison	Radioactive materials label.	"Dangerous Class D Poison Placard".	"Dangerous Class D Poison".

* * * * * *

PART 75—REGULATIONS APPLYING TO CARRIERS BY RAIL EXPRESS

1. Amend § 75.657 paragraph (a) (15 F. R. 8360, Dec. 2, 1950) (49 CFR 75.657, 1950 Rev.) to read as follows:

§ 75.657 *Waybills.* (a) The waybill or delivery sheet when used as a waybill, or other billing issued in lieu thereof, and the transfer sheet, or interchange record used for transferring such shipments to a connecting carrier, must properly describe the articles by name as shown in § 72.5 of this chapter and show color or kind of label applied.

PART 77—REGULATIONS APPLYING TO SHIPMENTS MADE BY WAY OF COMMON AND CONTRACT CARRIER BY PUBLIC HIGHWAY

SUBPART C—LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

1. Amend Items b and 2 vertical and horizontal columns and footnote b of

chart in paragraph (a) of § 77.848 (15 F. R. 8368, Dec. 2, 1950) (49 CFR 77.848, 1950 Rev.) to read as follows:

§ 77.848 *Loading and storage chart of explosives and other dangerous articles.* (a) * * *

"b" High explosives					
*	*	*	*	*	
"2" Propellant explosives or jet thrust units (jato), class B.					
*	*	*	*	*	
[b] Acids or other corrosive liquids, white label, must not be loaded above or adjacent to flammable solids or oxidizing materials, yellow label, ammunition for cannon with or without projectiles, or propellant explosives.					
*	*	*	*	*	

PART 78—SHIPPING CONTAINER SPECIFICATIONS

SUBPART C—SPECIFICATIONS FOR CYLINDERS

1. Amend § 78.42–2 paragraph (a) (15 F. R. 8395, Dec. 2, 1950) (49 CFR 73.42–2, 1950 Rev.) to read as follows:

§ 78.42 *Specification 3E; seamless steel cylinders.*

* * * * *

§ 78.42–2 *Type, size, and service pressure*—(a) *Type and size.* Seamless. Must have outside diameter not greater than 2 inches nominal, length less than 2 feet.

2. Amend § 78.55–16 paragraph (a) (15 F. R. 8418), Dec. 2, 1950) (49 CFR 78.55–16, 1950 Rev.) to read as follows:

§ 78.55 *Specification 4B–ET; welded and brazed cylinders made from electric resistance welded tubing.*

* * * * *

§ 78.55–16 *Physical test.* (a) To determine yield strength, tensile strength, elongation, and reduction of area of material. Required on 2 specimens cut from 1 cylinder, or part thereof heat-treated as required, taken at random out of each lot of 200 or less in the case of cylinders of capacity greater than 86 cubic inches and out of each lot of 500 or less for cylinders having a capacity of 86 cubic inches or less.

SUBPART D—SPECIFICATIONS FOR METAL BARRELS, DRUMS, KEGS, CASES, TRUNKS AND BOXES

Amend § 78.83–3 paragraph (d) (15 F. R. 8435, Dec. 2, 1950) (49 CFR 78.83–3, 1950 Rev.) to read as follows:

§ 78.83 *Specification 5C; steel barrels or drums.* * * *

(d) All parts of any completed container exposed to lading must comply with the standard 65 percent boiling nitric acid test in that the limit of inches per month penetration in accordance with corrosion test as used in American Society of Testing Materials Standard A–262–44–T shall be 0.0015 inch, this figure to be an average of five 48-hour tests.

SUBPART F—SPECIFICATIONS FOR FIBERBOARD BOXES, DRUMS, AND MAILING TUBES

1. Cancel § 78.214–15 paragraph (a) Note 1 and amend § 78.214–20 paragraph (a) (2) (15 F. R. 8480, Dec. 2, 1950) (49 CFR 78.214–15, 78.214–20, 1950 Rev.) to read as follows:

§ 78.214 *Specification 23F; fiberboard boxes.* * * *

§ 78.214–15 *Authorized gross weight (when packed) and parts required.* (a) * * *

Note 1. [Canceled.]

* * * * *

§ 78.214–20 *Completed containers.* (a) * * *

(2) Three loaded samples to be tested. Each must withstand end to end pressure of at least 500 pounds without deflection of over 1½".

2. Add § 78.219 (15 F. R. 8481, Dec. 2, 1950) (49 CFR 78.219, 1950 Rev.) to read as follows:

§ 78.219 *Specification 23H; fiberboard boxes.*

§ 78.219–1 *Compliance.* (a) Required in all details.

§ 78.219–2 *Definitions.* (a) Terms such as "200-pound test" mean minimum strength, Mullen or Cady test.

(b) "Joints" are where edges of parts of box are connected together in setting up box.

(c) "Seams" are where edges of parts of box are visible, except joints, when box is closed.

§ 78.219–3 *Solid fiberboard.* (a) To be 3-ply or more; both outer plies waterproofed. Each ply at least 0.016".

§ 78.219–4 *Stitching staples.* (a) Of steel wire, copper-coated or equivalent in nonsparking quality, at least 3/32" x 0.019", or equal cross section, formed into staples about 7/16" wide.

§ 78.219–5 *Tape.* (a) Pressure sensitive, paper backed. The basic weight of the paper shall be not less than 70 pounds per ream after sizing and coating. Longitudinal tensile strength shall be not less than 50 pounds per inch of width and the latitudinal strength shall be not less than 11 pounds per inch of width.

(b) The tape must be not less than 1" wide manufactured of material which will not separate or delaminate when submerged in water for 72 hours and which will not show any delamination or bleeding up to 160° F. and which will not lose its strength, delaminate or become brittle at 0° F.

(c) Water activated tapes are authorized when approved by the Bureau of Explosives.

§ 78.219–6 *Test.* (a) Acceptable board must have prescribed strength, Mullen or Cady test, under test as follows:

(1) Clamp board firmly in machine and turn wheel thereof at constant speed of approximately 2 revolutions per second.

(2) Six punctures required, 3 from each side; all results but one must show prescribed strength.

(3) Board failing may be retested by making 24 punctures, 12 from each side; when all results but 4 show prescribed strength the board is acceptable.

§ 78.219–7 *Type authorized.* (a) Of solid fiberboard, telescoping type construction without recessed heads. Box to consist of top and bottom sections, divided equally or unequally, and inner lining tube. The lining tube must be staple stitched to the lower section of the box to give in effect a 2-piece box.

§ 78.219–8 *Inside packing and size limits.* (a) As prescribed in § 78.219–11.

§ 78.219–9 *Forming.* (a) Parts must be cut true to size and so creased and slotted as to fit closely into position without cracking, surface breaks, separation of parts outside of crease, or undue binding.

§ 78.219–10 *Joints.* (a) Lapped at least 1½"; staple stitched at 2½" intervals and within 1" of each end of joint; 2 banks of staple stitches in each joint.

§ 78.219–11 *Authorized gross weight (when packed) and parts required.* (a) Box to be of solid fiberboard, special waterproofed at least 300-pound test, and weighing at least 250 pounds per thousand square feet. Tubes to be of solid fiberboard at least 200-pound test and of 1 piece with adjoining edges staple stitched or taped.

(b) Authorized gross weight: 65 pounds when two or more lining tubes are used to divide the box into two or more compartments; 65 pounds when one or more lining tubes are used and contents will consist of one cartridge only or of black powder in bags; 35 pounds in all other cases except that boxes having a single solid fiberboard lining tube at least 0.120 inch thick are authorized for 65 pounds gross weight.

§ 78.219–12 *Closing for shipment.* (a) The upper and lower sections of the container shall be secured together by the application of one single strip of tape, exclusive of manufacturer's joint disposed entirely around the perimeter of the container and spaced approximately equally distant over each portion of the container at the seam of abutting covers. The ends of the tape around the perimeter of the container must overlap 1½" minimum.

(b) Tape used in closing must be at least equal in efficiency to that used on boxes passing the drum test prescribed in § 78.219–16.

§ 78.219–13 *Marking.* (a) On each container. Symbol in rectangle as follows:

ICC—23H***

(1) Stars to be replaced by authorized gross weight (for example ICC–23H35 or ICC–23H65). This mark shall be understood to certify that the container complies with all specification requirements.

(2) Name and address of plant making the container; symbol (letters) authorized if recorded with the Bureau of Explosives. This mark to be located just above or below the mark specified in paragraph (a) of this section.

(3) Size of markings. At least ½" high.

§ 78.219–14 *Special tests*—(a) *By whom and when.* By or for each plant making the boxes; at beginning of manufacture and at six-month intervals

thereafter; on largest size, by weight, above and below 35 pounds gross. Report of results, with all pertinent data, to be maintained on file for one year; copy to be filed with the Bureau of Explosives.

§ 78.219–15 *Material.* (a) Box material (special waterproofed board) must be 300-pound test board and weigh at least 250 pounds per thousand square feet when commercially dry.

(b) Box material must also have 200-pound test strength and moisture content not over 30 percent as follows:

(1) Immediately after exposure for 3 days to 90 percent humidity at 75° F.

(2) Immediately after it has been in contact with water for 3 hours under 3" head at 75° F.

§ 78.219–16 *Completed containers.* (a) Samples must pass the following immediately after exposure for 2 weeks to 90 percent humidity at 75° F.; loaded containers shall contain dummy contents of shape and weight of the expected contents, and shall be closed in same manner as for shipment:

(1) *Three loaded samples to be tested.* Each must withstand 200 drops in standard 7-foot revolving test drum with pointed hazard in place, without spilling any contents.

(2) *Three loaded samples to be tested.* Each must withstand end to end pressure of at least 500 pounds without deflection of over 1½".

(3) *Three empty samples to be tested.* Each must withstand top to bottom pressure of at least 500 pounds without deflection of ½ inch.

3. Amend § 78.223–3 paragraph (b) (15 F. R. 8481, Dec. 2, 1950) (49 CFR 78.223–3, 1950 Rev.) to read as folllows:

§ 78.223 *Specification 21B; fiber drums.* * * *

(b) Maximum authorized net weight 225 pounds, except as otherwise prescribed in the regulations.

(Sec. 204, 49 Stat. 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. 835)

It is further ordered, That the foregoing amendments to the aforesaid regulations shall have full force and effect on May 8, 1952, and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

It is further ordered, That compliance with the aforesaid regulations as herein amended is hereby authorized on and after the date of service of this order.

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–2044; Filed, Feb. 19, 1952; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 308]

MARKET AGENCIES AT SIOUX CITY STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION OF RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921 as amended (7 U. S. C. 181 et seq.), an order was issued on February 6, 1951 (10 A. D. 143), authorizing respondents to assess the temporary rates and charges currently in effect.

By petition filed on January 31, 1952, as amended on February 4, 1952, respondents have requested an authorization to file a new tariff and put into effect the rates and charges hereinafter set forth for the period ending May 1, 1953.

DEFINITIONS

A consignment: For the purpose of assessing selling charges, is all the livestock of one species (cattle, calves and bulls to be considered as separate species) belonging to one owner and delivered to one market agency, and offered for sale by it during the trading hours of one day.

A purchase order: For the purpose of assessing buying charges, is all the livestock of one species (cattle, calves and bulls to be considered as separate species) bought at any time but shipped to, or delivered to, one person on one market day.

A draft: Is all the livestock of one species (cattle, calves and bulls to be considered as separate species) in one consignment sold to the same purchaser, at the same time, and at the same price per cwt., irrespective of how the livestock is weighed.

A person: Is an individual, a partnership, a corporation, and/or an association of any such acting as a unit.

Calves: Are animals of the bovine species, weighed in drafts, the average weight of the animals in which is 300 pounds or under.

Cattle: Are animals of the bovine species, weighed in drafts, the average weight of the animals in which is over 300 pounds.

Bulls: Are uncastrated male animlas of the bovine species, weighed in drafts, the average weight of the animals in which is over 700 pounds.

SELLING AND RESELLING CHARGES

SECTION A

Cattle:	*Per head*
Consignments of 1 head and 1 head only	$1.75
Consignments of more than 1 head:	
First 5 head in each consignment	1.25
Next 10 head in each consignment	1.20
Each head over 15 in each consignment	1.10
Calves:	
Consignments of 1 head and 1 head only	1.00
Consignments of more than 1 head:	
First 5 head in each consignment	.75
Next 10 head in each consignment	.70
Each head over 15 in each consignment	.60
Bulls, irrespective of manner of arrival	2.00
T. b. reactors, Bangs reactors, cripples, suspects or subjects or condemned	2.00

SECTION B

Hogs, irrespective of manner of arrival:	
Consignments of 1 head and 1 head only	$0.65
Consignments of more than 1 head:	
First 10 head in each consignment	.43
Next 15 head in each consignment	.38
Each head over 25 in each consignment	.33
Boars, cripples or subjects	.85

SECTION C

Sheep:	
Consignments of 1 head and 1 head only	$0.50
Consignments of more than 1 head:	
First 10 head in each 225 head in each consignment	.41
Next 20 head in each 225 head in each consignment	.34
Next 30 head in each 225 head in each consignment	.28

SELLING AND RESELLING CHARGES—Continued

SECTION C—Continued

Sheep—Continued	
Consignments of more than 1 head—Con.	
Next 40 head in each 225 head in each consignment	$0.19
Next 125 head in each 225 head in each consignment	.13
Cripples or subjects	.65

SECTION D

Extra service selling charges (drafts). In the case of those consignments where more than three drafts are necessary, 25 cents per draft in excess of three, maximum $3.00 on any one consignment, will be charged. (This provision does not apply to purchase orders.)

SECTION E

Buying charges. The charges for buying any species of livestock shall be the same as the selling or reselling charges for that species, except that no charge shall be made on account of extra drafts. When, however, it is necessary for the agency to pick up the purchase order from more than two other agencies and/or dealers, a charge of $0.50 (50¢) shall be made for each market agency and/or dealer over two from whom the purchase order is picked up.

NOTES

The charge on any purchase order of hogs shipped out by rail shall be $25.00 maximum; $20.00 minimum for each single deck car; $35.00 maximum; $30.00 minimum for each double deck car.

For each 28,000 pounds or fraction thereof in each purchase order of hogs shipped out by truck, the maximum shall be $25.00 and minimum $20.00 for the first 17,000 pounds plus $0.33 (33¢) times the excess weight between 17,000 pounds and 28,000 pounds divided by the average weight of the hogs in the purchase order, with a maximum of $35.00 and minimum of $30.00 for each 28,000 pounds.

The minimum charge on a purchase order of cattle to be shipped out by rail shall not be less than an amount equal to $25.00 multiplied by the number of cars which the purchase order requires for shipment.

Extra service buying charges.—When cattle bought from other firms by the purchaser himself are paid for, and/or picked up, and/or billed out, and/or any assistance is given relative to tuberculin or abortion tests, the regular buying commission herein provided shall be charged.

When cattle consigned to a commission firm for sale are sold to a buyer who requests that his purchase be billed out, one-fourth the regular buying commission shall be charged to the buyer, except that there shall be no charge when the Sioux City Stock Yards Company will accept for forwarding orders out of pens into which delivery off scales is made. When any assistance is given relative to tuberculin or abortion tests, the regular buying commission herein provided shall be charged.

SECTION F

Other service charges. For driving cattle and/or calves to/or from brand chutes for branding, dehorning, castration, vaccination, etc., the charge shall be five (5) cents per head, with the minimum charge for any one lot of cattle and/or calves $1.50. (This is in addition to the two service charges listed above.)

Clearing house charge. The Sioux City Live Stock Exchange will make a charge against each firm for whom it makes collections of checks for live stock sales and purchases, based on the cost of such service prorated on a basis of the number of items handled, bills for such service to be rendered and paid monthly.

A check of the number of items will be made one month in four, and the result of that check will serve as a basis for the charge for the ensuing four months. The minimum charge per month for any firm will be twenty-five (25¢) cents.

Fees for collecting and remitting truck charges. For computing, collecting, and paying or remitting to the person entitled to receive the same, any truck or hauling charge for transporting live stock to or from the Sioux City Stock Yards, a charge of ten (10¢) cents shall be made, this charge to cover all collections and remittances of such hauling charges as shall be made at one time covering deliveries of live stock on a single market day, by one truck carrier.

Inspection charges on hogs and cattle. Charges for inspection shall be made, as hereinafter set out, to cover inspection of hogs for dockage when necessary, and inspection of hogs for injury or disease affecting their fitness for human food; inspection of cattle for injury or disease affecting either fitness for human consumption, and inspection for the determination of any infectious or communicable disease, which might jeopardize the condition or health of herds into which these cattle are taken; inspection and examination of cripples or dead animals for marks of identification, and the weighing of dead animals and rendering reports thereon to the consignees, consignors, and U. S. Bureau of Animal Industry.

Hogs: A charge of 50 cents shall be made, to apply on the additional cost of inspection of hogs, whenever an appeal is taken from the shrinkage or dockage fixed by the Inspector in Charge at the scale to the Chief Inspector, said charge to be paid by the person or firm appealing.

A charge of $1.50 shall be made, to be paid by the person appealing, whenever an appeal shall be taken from the decision of the Chief Inspector to the Board of Arbitrators, said sum to be divided prorata between the arbitrators acting in the case, as their compensation for service.

A charge of 50 cents per carload shall be made to cover the cost of inspection of hogs for dockage when necessary, and inspection for injury or disease affecting their fitness for human food on all hogs arriving by rail. On hogs trucked or driven in, a charge of 2½ cents per head up to 50 cents shall be made for any lot of hogs not exceeding 30 head. The same rate shall apply on the excess over 30 head.

Cattle: A charge of 50 cents per carload, regardless of number of animals in any car, shall be made on all cattle arriving by rail, to cover the cost of inspection of cattle for injury or disease affecting their fitness for human consumption, and inspection for the determination of any infectious or communicable disease which might jeopardize the condition or health of herds into which these cattle are taken. On cattle trucked or driven in, the charge shall be 2½ cents per head up to 50 cents for each lot not exceeding 25 head, the same rate to apply on the excess over 25 head.

SECTION G

Fire insurance. To cover the cost of premium on a policy of insurance against loss by fire, lightning and cyclones, tornado or windstorm, protecting the owners of live stock consigned to the Sioux City market against losses by fire, lightning and cyclone, tornado or windstorm, during the time said animals are within the confines of the Sioux City Stock Yards, the following charges shall be deducted by the participating agencies from the proceeds of sales:

Cattle and calves 10 (10¢) cents per carload.

Hogs 10 (10¢) cents per carload.

Sheep 10 (10¢) cents per carload.

Truck cattle and calves 1 (1¢) cent for every two head or fraction thereof.

Truck hogs 1 (1¢) cent for every seven head or fraction thereof.

Truck sheep 1 (1¢) cent for every seven head or fraction thereof.

The charge not to exceed 10 (10¢) cents up to 30 (30) head of cattle, or calves, one ownership; 75 (75) head of hogs, one ownership; 300 (300) head of sheep, one ownership.

DEDUCTIONS MADE FOR ACCOUNT OF OTHERS

Brand inspection. The participating Agencies may deduct from the proceeds of sales of branded cattle, as a brand inspection fee for inspecting cattle for brands such fees as are in accordance with the Tariffs now on file with the Packers and Stock Yards Division by the various Associations, and in accordance with the agreements now in effect between the participating Agencies and these Associations. Said fees so collected shall be remitted in full by the participating Agencies to the various Associations with which agreements are in effect.

Interest and bank exchange charges on purchases. When any agency buying live stock on commission, incurs interest or bank exchange charges, on payment for such live stock, these charges shall be assessed to and collected from the principal for whom the agency buys. Each agency shall maintain a record of such charges, said record to show the charges paid out by the Agency on behalf of every principal for whom it pays and the charges collected from each principal.

In no case will such charges be waived for any principal, but shall be collected from each and every principal in every transaction that necessitates the payment of interest or bank exchange charges on purchases made by the Agency for any and all principals.

The rates and charges petitioned for, if authorized, will provide additional revenue for the respondents and increase the cost of marketing livestock. It appears, therefore, that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 15th day of February 1952.

[SEAL] AGNES B. CLARKE,
Acting Hearing Clerk.

[F. R. Doc. 52-2064; Filed, Feb. 19, 1952; 8:49 a. m.]

[7 CFR Part 31]

WOOL

DISTRIBUTION OF PRACTICAL FORMS OF WOOL STANDARDS AND WOOL TOP STANDARDS

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by law (sec. 19, 39 Stat. 489, sec. 19, 42 Stat. 1284, secs. 1, 2, 3, 45 Stat. 593, 594, sec. 401 (a), 58 Stat. 738; 7 U. S. C. 257, 415b–415e), proposes to amend §§ 31.51, 31.52, and 31.152 of the regulations governing the distribution of practical forms of wool standards and wool top standards (7 CFR 31.51, 31.52, 31.152), as follows:

1. Section 31.51 (a) would be amended to read:

(a) A complete set of the practical forms of the official standards of the United States for grades of wool (Grades 80's, or Fine, to 36's, or Braid, inclusive, mounted, 12 specimens), certified under the seal of the United States Department of Agriculture and signed by the Administrator of the Production and Marketing Administration or other official duly authorized by him, will be furnished, subject to the other conditions of this section, upon filing of an approved application and prepayment of costs thereof as fixed by § 31.52.

2. Section 31.52 would be amended to read:

§ 31.52 *Cost of practical forms; complete set.* $20.00 per set, f. o. b. Washington, D. C., for shipment within the continental United States, and $24.00 per set, delivered to destination, for shipment outside the continental United States.

3. Section 31.152 would be amended to read:

§ 31.152 *Cost of practical forms*—(a) *Sets.* $20.00 each, f. o. b. Washington, D. C., for shipment within the continental United States, and $24.00 each, delivered to destination, for shipment outside the continental United States.

(b) *Demonstrator types.* $2.00 each, delivered to destination, for shipment within the continental United States, and $2.50 each, delivered to destination, for shipment outside the continental United States.

(c) *Balls.* $40.00 each, delivered to destination, for shipment within the continental United States.

Any person who desires to submit written data, views, or arguments concerning the proposed amendments may do so by filing them with the Director of the Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., within thirty days after the

date of publication of this notice in the FEDERAL REGISTER.

(Sec. 19, 39 Stat. 489, sec. 19, 42 Stat. 1284, secs. 1, 2, 3, 45 Stat. 593, 594, sec. 401 (a), 58 Stat. 738; 7 U. S. C. 257, 415b–415e)

Done at Washington, D. C., this 15th day of February 1952.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 52-2033; Filed, Feb. 19, 1952; 8:47 a. m.]

[7 CFR Part 961]

[Docket No. AO-160-A-13]

HANDLING OF MILK IN PHILADELPHIA, PA., MARKETING AREA

PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the John Bartram Hotel, Locust and Broad Streets, Philadelphia, Pennsylvania, beginning at 10:00 a. m., February 25, 1952, for the purpose of receiving evidence with respect to the proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area. For the convenience of parties concerned with both Order 27 and Order 61, the hearing will continue February 26, 1952, at the same place. These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendments to the order, as amended, for the Philadelphia, Pennsylvania, marketing area have been proposed as follows:

By Inter-State Milk Producers' Cooperative:

1. Amend § 961.4 (a) (1) (i) so that, when the revised index of wholesale commodity prices, published by the Bureau of Labor Statistics, United States Department of Labor, (which will use the years 1947–1949 as a base period of 100) is used in place of the presently published index, the necessary adjustments shall be made to give a resultant computation which shall be equivalent to the similar computation arrived at when the presently published index is used.

By Mifflin Creamery Company, Inc., Lancaster Milk Company, W. M. Evans Dairy Company, Inc., Chenango Farm Products Company, Inc., and Grover Farms, Inc.:

2. Amend the second paragraph of § 961.1 (a) (6) (iii) relating to "*Definitions*" to read:

This definition shall not include (*a*) a plant at which a uniform price is required to be paid to producers under provisions of another marketing order issued pursuant to the act; or (*b*) a plant holding approval of any health authority for the sale of milk in an area operating under regulation of another marketing order issued pursuant to the act if such plant has been temporarily suspended from regulation under such other order, or otherwise be ineligible for regulation under such other order, unless the operator of such plant shall advise the market administrator in writing that during the period in which it is subject to regulation under this order it will not make shipments of fluid milk or fluid milk products into an area regulated by another marketing order issued pursuant to the act. Failure of such handler to comply with such assurance shall result in the classification by the market administrator of all milk received from producers at such plant as Class I.

By Milk Dealers' Association of Metropolitan New York, Inc.:

3. In the interest of the equitable and efficient servicing of New York and Philadelphia markets, it is proposed that Order No. 61 be amended so that plants that qualify as producer plants under that Order, and also ship I–A milk to the New York market, shall not escape equalization payments into the New York pool.

By Inter-State Milk Producers' Cooperative:

4. Amend § 961.1 (a) (6) (i) by adding the Ambler, Pennsylvania plant of Abbotts' Dairies, Inc., to, and deleting the Goshen, Pennsylvania plant of Abbotts' Dairies, Inc., from the plants listed therein.

5. Amend § 961.1 (a) (6) (iii) by deleting "or during any other month in which shipments are made from the plant on less than 5 days," and substituting in lieu thereof, "or during any of the months of February, March, July, August, and September, in which shipments are made from the plant on less than 5 days, . . ."

6. Amend § 961.3 (e) (2) by deleting the word "to" and adding the words "March, July, August and" between the words "February to September" in the first line of subparagraph (2).

7. Amend § 961.3 (b) (1) (i) by inserting the words "concentrated milk" between the words "milk" and "skim milk" in the second line of subparagraph (1).

By Mifflin Creamery Company, Inc., Lancaster Milk Company, W. M. Evans Dairy Company, Inc., Chenango Farm Products Company, Inc., and Grover Farms, Inc.:

8. Amend § 961.4 (d) to read:

(d) *Class I milk disposed of outside the marketing area.* (1) For Class I milk disposed of outside the marketing area on wholesale or retail routes from which no milk is disposed of in the marketing area on the same trip, the price to be paid to producers by handlers shall be such price as the market administrator ascertains was paid during the month of delivery to farmers for milk of equivalent use and test in the market in which such milk was disposed, less the applicable transportation allowance in such outside market, but in no case more than 64¢ per hundredweight.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph, for Class I milk disposed of in other markets outside the marketing area, the price to be paid by handlers to producers shall be such price as the market administrator ascertains was paid during the month of delivery to farmers for milk of equivalent use and test in the market in which such milk was disposed, less the applicable transportation allowance in such outside market, but in no case more than 64¢ per hundredweight.

(3) For Class I milk disposed of outside the marketing area where the market administrator is unable to determine the price paid to farmers in that market, the price to be paid by handlers to producers shall be the Class I price, plus or minus the applicable differentials, specified in this order.

(4) For Class I milk disposed of in an area regulated by another marketing order issued pursuant to the act such milk shall be priced at the Class I price specified in this order.

By the Milk Distributors Association of the Philadelphia Area, Inc.:

9. Realign § 961.4 (d) so that it is number § 961.4 (e) and change its caption and application to:

(e) *Class I milk disposed of outside the marketing area not provided for in paragraph (d) of this section.*

10. Add to Order 61 a new provision § 961.4 (d) so as to provide for Class I milk disposed of in bulk outside the marketing area. The price to be paid by handlers for Class I milk disposed of in bulk in Pennsylvania but outside the marketing area of Order 61 shall be as provided in Orders of the Pennsylvania Milk Control Commission for Class I milk disposed of in such marketing areas. For milk shipped in bulk to markets outside Pennsylvania the price to be paid by handlers should be established on a competitive basis, such as the uniform price under Order 27 or its equivalent, the I–C price as provided for under Order 27, or the weighted average price under Order 61, or similar pricing mechanism. Any price so calculated will be subject to the Class I differential specified in § 961.4 (c) (1).

11. Amend Order 61 to establish a distress milk provision applicable during the months of March through July so that bulk milk shipments to manufacturing plants can be handled on a competitive basis, or, in the alternative: Provide for increased handling allowances on fat and skim milk during the same period.

By the Dairy Branch, Production and Marketing Administration:

12. Provide in the order that if for any reason a price, or index specified by this order for use in computing class prices or other purposes is not reported or published in the manner described in this order, the market administrator shall use a price or index determined by the Secretary to be equivalent to or comparable with the factor which is specified.

13. Renumber the sections, paragraphs, subparagraphs, and subdivisions of the order in accordance with the revised FEDERAL REGISTER procedure.

14. Make such other changes as may be required to make the entire marketing agreement and the order conform with any amendments thereto which may result from this hearing.

Copies of this notice of hearing and of the tentative marketing agreement, and the order now in effect, may be procured from the market administrator, 1612 Market Street, Philadelphia, Pennsylvania, or from the Hearing Clerk, United States Department of Agriculture, Room, 1353, South Building, Washington, D. C. or may be there inspected.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator for Marketing.

FEBRUARY 14, 1952.

[F. R. Doc. 52-2065; Filed, Feb. 19, 1952; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 3, 6]

ADDITIONAL AMENDMENTS STEMMING FROM THE 1951 ANNUAL AIRWORTHINESS REVIEW

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments to Parts 3 and 6 of the Civil Air Regulations in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by March 18, 1952. Copies of such communications will be available after March 20, 1952, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

During the 1951 annual airworthiness review certain amendments to Parts 3 and 6 of the Civil Air Regulations were considered, and specific proposals were published as a notice of proposed rule making (16 F. R. 11366). Three proposals which were inadvertently omitted are included herein.

The present wording of § 3.444 (c) requires specifically that the fuel tank outlet be located so that water will drain from all portions of the tank to the outlet. The term "outlet" in this instance does not give a clear indication of the intent of the rule. It is therefore proposed to state more directly that the water should drain to the sediment bowl itself.

A literal reading of § 6.410 requires the incorporation of a unit which will disengage both the rotor drive and the engine from the main and auxiliary rotors in the event of power failure. This requirement is considered to be unduly restrictive because of the difficulties of compliance and the resulting unnecessarily complicated design. It is therefore proposed to permit the disengaging unit to be located between the engine and the rotor drive.

Presently effective § 6.462 (c) requires a preheater capable of providing a heat rise of 70° F. A rise of that magnitude is not considered to be necessary with the type of carburetor described in the paragraph, and accordingly a more objective measure is introduced.

It is therefore proposed to amend Parts 3 and 6 of the Civil Air Regulations as follows:

1. By amending § 3.444 (c) to read as follows:

§ 3.444 *Fuel tank sump.* * * *

(c) If a separate sediment bowl is provided in lieu of a tank sump, the fuel tank outlet shall be so located that, when the airplane is in the normal ground attitude, water will drain from all portions of the tank to the sediment bowl.

2. By amending § 6.410 to read as follows:

§ 6.410 *Rotor drive mechanism.* The rotor drive mechanism shall incorporate a unit which will automatically disengage the engine from the main and auxiliary rotors in the event of power failure. The rotor drive mechanism shall be so arranged that all rotors necessary for control of the rotorcraft in autorotative flight will continue to be driven by the main rotor(s) after disengagement of the engine from the main and auxiliary rotors. If a torque limiting device is employed in the rotor drive system (see § 6.250 (f)), such device shall be located to permit continued control of the rotorcraft after it becomes operative.

3. By amending § 6.462 (c) to read as follows:

§ 6.462 *Induction system de-icing and anti-icing provisions.* * * *

(c) Rotorcraft equipped with sea level engines employing carburetors which embody features tending to reduce the possibility of ice formation shall be provided with a sheltered source of air which can be selected in flight and which is warmed at least to the extent to which the cylinder cooling air is warmed.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposals may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 501-510)

Dated February 13, 1952, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 52-2048; Filed, Feb. 19, 1952; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of the Public Debt

[1952 Dept. Circ. 898]

2⅜ PERCENT TREASURY BONDS OF 1957-59

OFFERING OF BONDS

FEBRUARY 18, 1952.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par with an adjustment of accrued interest as of March 15, 1952, from the people of the United States for bonds of the United States, designated 2⅜ percent Treasury Bonds of 1957-59, in exchange for 2½ percent Treasury Bonds of 1952-54, dated March 31, 1941, due March 15, 1954, called for redemption on March 15, 1952. The amount of the offering under this circular will be limited to the amount of Treasury Bonds of 1952-54 tendered in exchange and accepted.

II. *Description of bonds.* 1. The bonds will be dated March 1, 1952, and will bear interest from that date at the rate of 2⅜ percent per annum, payable on a semiannual basis on September 15, 1952, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1959, but may be redeemed at the option of the United States on and after March 15, 1957, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all taxes now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys.

4. Bearer bonds with interest coupons attached, and bonds registered as to

principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000, and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for bonds allotted hereunder must be made on or before March 1, 1952, or on later allotment, and may be made only in Treasury Bonds of 1952–54, called for redemption March 15, 1952, which will be accepted at par, and should accompany the subscription. Coupons dated March 15, 1952, must be attached to such bonds in coupon form when surrendered. In the case of coupon bonds, the full six months' interest to March 15, 1952, on the bonds to be surrendered ($12.50 per $1,000) will be credited, accrued interest from March 1, 1952 to March 15, 1952 on the bonds to be issued ($0.91346 per $1,000) will be charged, and the difference ($11.58654 per $1,000) will be paid to the subscribers on March 1, 1952, or on later delivery of the new bonds. In the case of registered bonds, final interest due March 15 will be computed on the same basis and will be paid by checks drawn in accordance with the assignments on the bonds surrendered.

V. *Assignment of registered bonds.* 1. Treasury Bonds of 1952–54 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder. If the new bonds are desired registered in the same name as the bonds surrendered, the assignment should be to "The Secretary of the Treasury for exchange for 2⅜ percent Treasury Bonds of 1957–59"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 2⅜ percent Treasury Bonds of 1957–59 in the name of ----------"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 2⅜ percent Treasury Bonds of 1957–59 in coupon form to be delivered to ----------"

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 52-2062; Filed, Feb. 19, 1952; 8:48 a. m.]

[1952 Dept. Circ. 899]

1⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES A–1953

OFFERING OF CERTIFICATES

FEBRUARY 18, 1952.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions from the people of the United States for certificates of indebtedness of the United States, designated 1⅞ percent Treasury Certificates of Indebtedness of Series A–1953, in exchange for 1⅞ percent Treasury Certificates of Indebtedness of Series A–1952, maturing April 1, 1952. Exchanges will be made at par with an adjustment of interest as of March 1, 1952. The amount of the offering under this circular will be limited to the amount of Treasury Certificates of Indebtedness of Series A–1952 tendered in exchange and accepted.

II. *Description of certificates.* 1. The certificates will be dated March 1, 1952, and will bear interest from that date at the rate of 1⅞ percent per annum, payable with the principal at maturity on February 15, 1953. They will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all taxes, now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment for certificates allotted hereunder must be made on or before March 1, 1952, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series A–1952, maturing April 1, 1952, which will be accepted at par and should accompany the subscription. Accrued interest from June 15, 1951, to March 1, 1952 ($13.31967 per $1,000) on the certificates surrendered will be paid to the subscriber following acceptance of the certificates.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 52-2063; Filed, Feb. 19, 1952; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order No. 2508, Amdt. 4]

BUREAU OF INDIAN AFFAIRS

DELEGATION OF AUTHORITY WITH RESPECT TO FUNDS AND FISCAL MATTERS

FEBRUARY 12, 1952.

The following change is made in section 11, *Funds and fiscal matters:*

SEC. 11. *Funds and fiscal matters.* • • •

(f) The approval of attorney and other contracts with Indian tribes and the payment of fees and expenses thereunder, pursuant to 25 U. S. C. 81, 82, 83, and 84, and section 16 of the act of June 18, 1934 (25 U. S. C. 476).

DALE E. DOTY,
Acting Secretary of the Interior.

[F. R. Doc. 52-2017; Filed, Feb. 19, 1952; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

SALE OF MINERAL INTERESTS

REVISED AREA DESIGNATION

Schedule A, entitled Fair Market Value Areas, and Schedule B, entitled One Dollar Areas, accompanying the Secretary's Order dated June 26, 1951 (16 F. R. 6318), are amended as follows:

In Schedule A, under Mississippi, in alphabetical order, add the county "Calhoun."

In Schedule B, under Mississippi, delete the county "Calhoun."

(Sec. 3, Pub. Law 760, 81st Cong.)

Done at Washington, D. C., this 15th day of February 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-2097; Filed, Feb. 19, 1952; 9:43 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1861]

MISSISSIPPI GAS CO.

ORDER FIXING DATE OF HEARING

FEBRUARY 13, 1952.

On December 26, 1951, Mississippi Gas Company, a Delaware Corporation, with its principal place of business at Meridian, Mississippi, filed an application, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing it to lease and operate certain natural-gas facilities, including approximately 99 miles of natural-gas transmission pipe line owned by the North Central Natural Gas District, a political subdivision of the State of Mississippi, as more fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 22, 1952 (17 F. R. 685),

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on March 4, 1952, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: February 14, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2019; Filed, Feb. 19, 1952; 8:45 a. m.]

[Docket No. E-6400]

PACIFIC POWER & LIGHT CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF FIRST MORTGAGE BONDS AND DENYING APPLICATION FOR EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS

FEBRUARY 14, 1952.

Notice is hereby given that on February 13, 1952, the Federal Power Commission issued its order entered February 12, 1952, authorizing issuance of first mortgage bonds and denying application for exemption from competitive bidding requirements of Commission's rules in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2020; Filed, Feb. 19, 1952; 8:45 a. m.]

[Docket No. G-1376]

SOUTHERN TIER GAS CORP.

NOTICE OF ORDER ACCEPTING RATE SCHEDULE FOR FILING AND TERMINATING PROCEEDING

FEBRUARY 14, 1952.

Notice is hereby given that on February 13, 1952, the Federal Power Commission issued its order entered February 12, 1952, accepting rate schedule for filing and terminating proceeding in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2021; Filed, Feb. 19, 1952; 8:45 a. m.]

[Docket No. G-1557]

NORTH PENN GAS CO. ET AL.

NOTICE OF ORDER AMENDING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 14, 1952.

In the matter of North Penn Gas Company, Allegany Gas Company, Alum Rock Gas Company, and Dempseytown Gas Company.

Notice is hereby given that on February 13, 1952, the Federal Power Commission issued its order entered February 12, 1952, amending order (16 F. R. 2710) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2022; Filed, Feb. 19, 1952; 8:45 a. m.]

[Docket No. G-1789]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF ORDER PERMITTING WITHDRAWAL OF APPLICATION

FEBRUARY 14, 1952.

Notice is hereby given that on February 12, 1952, the Federal Power Commission issued its order entered February 12, 1952, permitting withdrawal of application in the above-entitled matter, and terminating proceeding.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2023; Filed, Feb. 19, 1952; 8:46 a. m.]

[Docket Nos. G-1811, G-1838]

TEXAS EASTERN TRANSMISSION CORP. AND SOUTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 14, 1952.

In the matters of Texas Eastern Transmission Corporation and Southern Natural Gas Company, Docket No. G-1811; and Southern Natural Gas Company, Docket No. G-1838.

Notice is hereby given that on Februray 13, 1952, the Federal Power Commission issued its orders entered February 12, 1952, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2024; Filed, Feb. 19, 1952; 8:46 a. m.]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

NOTICE OF OPINION AND ORDER GRANTING PARTIAL EXEMPTION FROM PAYMENT OF ANNUAL CHARGES

FEBRUARY 14, 1952.

Notice is hereby given that on February 13, 1952, the Federal Power Com-

mission issued its opinion and order entered February 5, 1952, granting partial exemption from payment of annual charges in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2025; Filed, Feb. 19, 1952; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Bar Order 12A]

ORDER FIXING BAR DATE FOR FILING CLAIMS IN RESPECT OF CERTAIN DEBTORS

In accordance with section 34 (b) of the Trading with the Enemy Act, as amended, and by virtue of the authority vested in the Attorney General by said act and Executive Orders Nos. 9788 and 10254, July 1, 1952, is hereby fixed as the date after which the filing of claims shall be barred in respect of debtors, any of whose property was first vested in or transferred to the Philippine Alien Property Administrator between July 1, 1950 and December 31, 1950, inclusive, and for whom no earlier bar date has been fixed by the Philippine Alien Property Administrator or the Attorney General.

Executed at Washington, D. C., this 14th day of February 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1977; Filed, Feb. 19, 1952; 8:45 a. m.]

[Vesting Order 18771]

ELLA VON DER HEYDE ET AL.

In re: Debts owing to Ella von der Heyde and others. F-28-1666-D-1, F-28-31780-D-1, F-28-1626-D-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Ella von der Heyde, whose last known address is Goldbeckufer 91, Hamburg, Germany, and Margarethe von Plawenn, whose last known address is Eyseneckstrasse 141, Frankfurt, Main, Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Konrad Giesecke, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

3. That the property described as follows: Those certain debts or other obligations of United States Steel Corporation, 71 Broadway, New York City, arising out of dividends declared on preferred and common stock formerly owned by the persons whose names are listed below, said dividends in the amounts listed opposite each such name:

Names:	*Amount*
Konrad Giesecke, deceased	$115.27
Ella von der Heyde	92.22
Margarethe von Plawenn	94.50

together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees, and distributees of Konrad Giesecke, deceased, Ella von der Heyde, and Margarethe von Plawenn, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 and the personal representatives, heirs, next of kin, legatees and distributees of Konrad Giesecke, deceased, referred to in subparagraph 2, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 12, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1986; Filed, Feb. 18, 1952; 8:51 a. m.]

[Vesting Order 18772]

ELISABETH SCHNEIDER

In re: Bond owned by Elisabeth Schneider. F-28-31776.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Elisabeth Schneider, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by Missouri Pacific Railroad Company General Mortgage 4% Bond, due 1975, numbered M-1122, together with any and all accruals, to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bond,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Elisabeth Schneider, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof be treated as a national who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 12, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1987; Filed, Feb. 18, 1952; 8:51 a. m.]

[Vesting Order 500A-296]

COPYRIGHTS OF A GERMAN NATIONAL

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945, Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948

Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) named in Column 4 of Exhibit A, set forth below and made a part hereof, and whose last known addresses are listed in said Exhibit A as being in a foreign country (Germany), on or since December 11, 1941, and prior to January 1, 1947, were residents of, or organized under the laws of, and had their principal places of business in, such foreign country and are, and prior to January 1, 1947, were, nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons named in Column 4 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this Order including said Exhibit A, who, on or since December 11, 1941, and prior to January 1, 1947, were citizens and residents of, or which on or since December 11, 1941, and prior to January 1, 1947, were organized under the laws of or had their principal places of business in, Germany, and are, and prior to January 1, 1947, were, nationals of such foreign country, in, to, and under the following:

a. The literary property in the works described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization, and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power, and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion, or revesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is and prior to January 1, 1947, was property of, and property payable or held with respect to copyrights or rights related thereto in which interests are and prior to January 1, 1947, were held by, and such property itself constitutes interests which are and prior to January 1, 1947, were held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 4, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Copyright No.	Column 2 Title of work	Column 3 Name of author	Column 4 Names and last known address of owner
Unknown	Gmelins Handbuch der anorganischen Chemie (all volumes and issues published prior to 1947).	Unknown	Verlag Chemie, Berlin, Germany (nationality: German).

[F. R. Doc. 52-1988; Filed, Feb. 18, 1952; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26809]

CAST IRON PIPE FROM VIRGINIA POINTS TO NORTH CAROLINA, SOUTH CAROLINA, AND VIRGINIA

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1191.

Commodities involved: Cast iron pipe and fittings, carloads.

From: Newport News, Norfolk, Va., and points grouped therewith.

To: Points in southern Virginia, North Carolina, and South Carolina.

Grounds for relief: To apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1191, Supp. 40.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-2034; Filed, Feb. 19, 1952; 8:47 a. m.]

[4th Sec. Application 26810]

COAL FROM BASS AND STEVENSON, ALA., TO WILMINGTON, N. C.

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and other carriers.

Commodities involved: Fine coal, carloads.

From: Bass and Stevenson, Ala.

To: Wilmington, N. C.

Grounds for relief: Competition with rail carriers and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2035; Filed, Feb. 19, 1952; 8:47 a. m.]

[4th Sec. Application 26811]

FISH BETWEEN BOSTON, MASS., AND HARLEM RIVER, N. Y.

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and Ocean Transport, Inc.

Commodities involved: Fish, fresh or frozen, carloads.

Between: Boston, Mass., and Harlem River, N. Y.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2036; Filed, Feb. 19, 1952; 8:47 a. m.]

[4th Sec. Application 26812]

POLYETHYLENE GLYCOL FROM PORT NECHES, TEX., TO CHICAGO AND SENECA, ILL.

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Polyethylene glycol, carloads.

From: Port Neches, Tex.

To: Chicago and Seneca, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3721, Supp. 207.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2037; Filed, Feb. 19, 1952; 8:47 a. m.]

[4th Sec. Application 26813]

LUMBER FROM NORTH PACIFIC COAST TO WICHITA FALLS, TEX.

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. 1474.

Commodities involved: Lumber and related articles, carloads.

From: North Pacific Coast points.

To: Wichita Falls, Tex.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. 1474, Supp. 191.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2038; Filed, Feb. 19, 1952; 8:47 a. m.]

[4th Sec. Application 26814]

SAND AND GRAVEL FROM VINCENNES, IND., TO CLAY CITY AND NOBLE, ILL.

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for The Baltimore and Ohio Railroad Company.

Commodities involved: Sand and gravel, carloads.

From: Vincennes, Ind.

To: Clay City and Noble, Ill.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: B. & O. R. R. tariff I. C. C. No. W. L. 10839, Supp. 116.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2039; Filed, Feb. 19, 1952; 8:47 a. m.]

[4th Sec. Application 26815]

GRAIN BETWEEN SOUTHWESTERN AND WESTERN TRUNK LINE POINTS

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for The Atchison, Topeka and Santa Fe Railway Company and other carriers.

Commodities involved: Grain and grain products, carloads.

Between: Points in Colorado, Nebraska, and Wyoming, on the one hand, and points in Texas, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3941, Supp. 29; F. C. Kratzmeir's tariff I. C. C. No. 3831, Supp. 44.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2040; Filed, Feb. 19, 1952; 8:48 a. m.]

[4th Sec. Application 26816]

LUMBER FROM PACIFIC COAST TO MOBERLY, MO.

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariffs I. C. C. Nos. 1504 and 1545.

Commodities involved: Lumber and related articles, carloads.

From: Pacific Coast points.

To: Moberly, Mo.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. 1504, Supp. 135; L. E. Kipp's tariff I. C. C. No. 1545, Supp. 13.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2041; Filed, Feb. 19, 1952; 8:48 a. m.]

[4th Sec. Application 26817]

ALCOHOL FROM SOUTHWEST TO NEW HAVEN, IND., AND AVON LAKE, OHIO

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Alcohol and related articles, carloads,

From: Points in Arkansas, Louisiana, Oklahoma, and Texas.

To: New Haven, Ind., and Avon Lake, Ohio.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3721, Supp. 206.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2042; Filed, Feb. 19, 1952; 8:48 a. m.]

[4th Sec. Application 26818]

OLD CLOTHING FROM ST. LOUIS, MO., TO MASPETH AND NEW YORK, N. Y.

APPLICATION FOR RELIEF

FEBRUARY 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 3758, pursuant to fourth-section order No. 9800.

Commodities involved: Clothing, old, worn-out, or cast-off, carloads.

From: St. Louis, Mo.

To: Maspeth and New York, N. Y.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2043; Filed, Feb. 19, 1952; 8:48 a. m.]